

Personnel Policy Manual



Prepared by Human Resources
Adopted by City Council on November 1, 2018

ORDINANCE NO. 2018- 584
CITY OF KEENE CITY COUNCIL

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KEENE, TEXAS,
ADOPTING PERSONNEL POLICIES FOR THE ADMINISTRATION OF EMPLOYEES
OF THE CITY.

WHEREAS the City Council of the City of Keene (the "City") administers an existing personnel policy manual providing for a guide in the provision of compensation, benefits, discipline and attendance among other issues; and

WHEREAS, periodic review and amendment of such policies is a practice that assists in providing management of human resources in service to the City; and

WHEREAS, the review and amendment process has been completed by the City Manager and the City Council wishes to adopt the manual as the personnel management policy of the City

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KEENE, TEXAS:

Section 1: ADOPTION

That the Personnel Policy Manual, as presented to the City Council is hereby adopted as the manual for the administration of the human resources of the City, replacing, in its entirety all other such manuals and policies heretofore adopted by the City.

Section 2: SEVERABILITY

That it is hereby declared to be the intention of the City Council of the City of Keene that the phrases, clauses, sentences, paragraphs, and sections of this Policy are severable, and if any phrase, clause, sentence, paragraph or section of this Policy should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of the Policy, since the same would have been enacted by the City

Council without incorporation in this ordinance of any such unconstitutional phrases, clause, sentence, paragraph or section.

Section 3: PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

Section 4: EFFECTIVE DATE

This ordinance shall be effective upon passage.

ADOPTED AND APPROVED this the 1st day of November 2018

City of Keene, Texas

By: J. R. Chapline
Mayor, James Chapline

Attest:

Holly Owens
City Secretary, Holly Owens

Approved:

Phil F. Br
City Attorney, City of Keene



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Dear Fellow Employees:

The City welcomes you to the organization and encourages you to read and become familiar with the contents of this personnel policy manual. You will find that it contains helpful and valuable information about the policies, rules, regulations, benefits, procedures and opportunities available to you as an employee of the City. It is also intended to be a guide in assisting you in performing your duties and responsibilities for the City to the best of your ability and in aiding you in developing and realizing your potential as a valued employee.

The policies in this Handbook are designed to serve as guidelines. **They are not intended to and do not create any kind of contractual relationship and are subject to change at the discretion of the City Council, with or without notice. Employment with the City is deemed to be at-will and the policies and procedures contained herein do not create any property interest in continued employment.**

While the policies and procedures outlined in this Handbook should provide you with answers to most general questions you might have regarding your employment relationship with the City, it cannot cover every situation that might arise. If you have questions about these guidelines, or require further information, you should consult with your Department Head or Human Resources. The City welcomes your suggestions for improvement either to the policies and procedures included in this Handbook or to other job-related areas and subjects.

Please read this Handbook carefully and retain it for future reference. It is important that you familiarize yourself with the contents of the Handbook as soon as possible. A well-informed employee has the best potential for succeeding in his or her assigned position. The City welcomes you and wishes you success.

Mayor and Council

Department Heads

City of Keene

City of Keene

Code of Ethics

As City employees and public servants, we each agree, both individually and as a group, to:

- Strive to protect and enhance the City's reputation.
- Act respectfully, courteously, and professionally to citizens and to others whom we come into contact.
- Not grant any citizen any favor, benefit, or special privilege beyond what we provide to all citizens of our City.
- Provide efficient and productive services to our citizens, remembering to always give a full day's work for a full day's pay and recognizing that misuse of public time is dishonest.
- Keep confidential any information acquired by our position as City employees and not use such information for personal or private gain.
- Not seek or obtain special privileges for ourselves, our families, or others, that are not available to all similarly situated citizens.
- Not solicit, receive, or obtain anything of value from any other public or private official which is, or is likely, intended to influence us in the performance of our duties.
- Immediately report to an appropriate supervisor the nature and extent of any financial or personal interest in a City contract, agreement, or other transaction.
- Use City vehicles, equipment, supplies, and property only for work purposes and not for personal benefit.
- Not exceed our authority or ask others to do so.
- Make all employment decisions, including recruitment, hiring, selection, and promotion, based on merit, qualifications, and ability.



Personnel Policy Manual Acknowledgement

My signature below indicates that I have received a copy and/or been given access to an electronic copy of the City of Keene's Personnel Policy Manual dated November 1, 2018, and I acknowledge that I am responsible for knowing its contents and keeping it updated as revisions occur. I also understand that this manual is City property and that it must be returned to Human Resources upon separation.

This manual and the policies and procedures contained herein supersede any and all prior practices, oral or written representations, or statements regarding the terms and conditions of your employment with the City of Keene. By distributing this manual, the City expressly revokes any and all previous policies and procedures which are inconsistent with those contained herein.

I understand that, except for employment-at-will status, any and all policies and practices may be changed at any time by the City of Keene, and the city reserves the right to change my hours, wages and working conditions at any time. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the City Council of the City of Keene has the ability to adopt any revisions to the policies in this handbook.

I have received the Personnel Policy Manual, and I understand that it is my responsibility to read and comply with the policies contained in this manual and any revisions made to it.

Employee Name (Print)

Employee Signature

Date

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City of Keene Safety Manual

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City of Keene Personnel Policies and Procedures

Chapter 1: Authority and Administration

1.1 PURPOSE

Origination June 28, 2007
Revised January 16, 2025

The purpose of this Personnel Policy Manual is to provide for the proper administration of the affairs of the city and to provide a reference for employees about what is expected of them and what the employee can expect from the city as an employer.

Due to Employment Law changes and Legislative updates, the policies presented in the manual are subject to change. We will seek to notify all employees of such changes. However, such a notice is not required for changes to be effective.

A. ROLE OF EMPLOYEES

The purpose of city government is to serve the community. Employees of the city are public employees, subject to public scrutiny, with a responsibility to the people, businesses, and visitors of Keene. The quality of service provided by the city to the people of Keene depend upon the quality of the city's workforce. Thus, the strength and future of the community depend, in large part, upon employee contributions, that is, employee conduct on the job and the way employees perform their duties. Contact employees may have with the public are often the only basis on which the city government is judged.

B. APPLICABILITY

All policies and procedures contained within this handbook shall apply to all employees unless otherwise indicated, restricted by proper authority, or prohibited by state or federal law. All employees are charged with the responsibility of being thoroughly familiar with all provisions of this handbook.

Any statement within a policy or procedure found to be illegal, incorrect, and/or inapplicable shall not affect the validity and intent of the remaining content of said policy and procedure. Titles utilized shall not govern, limit, modify or affect the scope of meaning or intent of any provision.

City of Keene Personnel Policies and Procedures

Chapter 1: Authority and Administration

1.2 ADMINISTRATION

Origination June 28, 2007
Revised January 16, 2025

A. ADMINISTRATION

The personnel policies established herein are intended to cover all employees of the City of Keene except where otherwise provided by the Charter of the City of Keene. The Human Resources Administrator, under the direction of the City Manager, shall administer the employee policies. Questions about personnel policies should be directed to a department supervisor, department director, or to Human Resources. The Human Resources Administrator shall monitor these policies and shall make a good faith effort to ensure compliance not only with the letter but also with the spirit of the objectives set forth in these policies.

B. CHANGES TO POLICIES

The City, through the City Manager, reserves the authority to modify, revoke, interpret, or terminate any or all of the rules set forth in these policies, as well as departmental policies, in whole or in part at any time. The issuance of these policies does not constitute an expressed or implied contract between the City and its employees. Supervisory personnel shall not and cannot make any representation to employees or applicants concerning the terms or conditions of employment with the City which are inconsistent with these policies

City policies are subject to the final approval and revision by City Council. The general and final authority for personnel administration rests with the City Manager.

C. POLICY DISTRIBUTION AND AVAILABILITY

It is the responsibility of the Human Resources Administrator to ensure that each employee receives a copy of the Personnel Policy Manual at his/her initial employment orientation.

The Human Resources Administrator will ensure the most current version of the Employee Handbook is available on the city's website <https://keenetx.com> and in the Human Resources office.

City of Keene Personnel Policies and Procedures

Chapter 1: Authority and Administration

1.3 SCOPE OF POLICIES

Origination June 28, 2007
Revised January 16, 2025

The purpose of this Employee Handbook and the policies it contains is to promote understanding, cooperation, efficiency and unity in personnel management and administration, and to provide a set of basic uniform policies for all employees in all departments.

This manual is designed to provide basic information regarding working conditions, employee benefits and policies affecting employment. Employees should read, understand and comply with all provisions of the manual. It outlines the programs developed by the City to benefit employees.

The fundamental objectives of the policies and the administrative regulations are:

- To promote efficiency and responsiveness to the public and economy in the service of the City;
- To develop a program of recruitment and advancement which make service to the City attractive as a career and encourage each employee to render their best services to the City;
- To establish and maintain a plan of evaluation and compensation based upon the relative duties and responsibilities of positions within the City and to reward meritorious service;
- To establish and promote high morale among City employees;
- To take all reasonable actions to comply with all applicable statutes and regulations;
- To regard planned training, continuing education and staff development activities as an investment for the mutual benefit of employees and the City;
- To communicate freely and to encourage communication from and among all employees;
- To provide a work environment that is conducive to both personal and professional growth;
- To promote an employee's right to be treated with respect, dignity, and fairness; and
- To recruit, select, compensate and promote employees on the basis of qualifications and merit.

City of Keene Personnel Policies and Procedures

Chapter 1: Authority and Administration

1.4 AT-WILL EMPLOYMENT

Origination June 28, 2007
Revised January 16, 2025

The policies and procedures set forth in this Employee Handbook are guidelines, none of its provisions are binding or contractual in nature. Employment with the city is “at-will,” meaning that employment may be terminated at any time, with or without notice, for any reason or no reason, by either the city or the employee. No verbal statements or promises made by anyone at the time of hire or thereafter contrary to this policy are binding on the city in any manner.

This Employee Handbook does not guarantee employment for any specific period of time. Either the city or the employee may end this relationship at any time, with or without cause, notice or reason. No department director, supervisor, or representative other than the City Manager has the authority to enter into any agreement guaranteeing employment for any specific period of time or to make any written or oral promises, agreements, or commitments contrary to this policy. Further, any employment agreement entered into by the City Manager will not be enforceable unless it is in writing and, when required, approved by the City Council.

City of Keene Personnel Policies and Procedures

Chapter 1: Authority and Administration

1.5 DEPARTMENTAL POLICIES

Origination June 28, 2007
Revised January 16, 2025

Each Department Director, with the approval of the Human Resources Administrator, may develop and implement departmental policies, procedures, codes of conduct, practices, rules and regulations which are separate from, or in addition to, the personnel policies contained within the Employee Handbook as long as they are not in conflict with the policies and procedures within this Employee Handbook. All such departmental rules/policies may be more restrictive, but not less restrictive than city personnel policies. In the event of any conflict or incompatibility between departmental policies and the city's personnel policies, the city's personnel policies shall control. Department Directors shall review departmental policies and correct any inconsistencies, conflicts, or incompatible provisions with the city personnel policies, and future amendments to city personnel policies.

Copies of departmental policies shall be on file in Human Resources and distributed to all affected employees. It is the responsibility of the issuing department to distribute the policy to affected employees and enforce the policy.

City of Keene Personnel Policies and Procedures

Chapter 1: Authority and Administration

1.6 PERSONNEL RECORDS

Origination June 28, 2007
Revised January 16, 2025

Human Resources shall maintain the official personnel file for each employee and shall retain those records in accordance with the city's records retention schedule. An employee's personnel file is available for inspection by appointment in the Human Resources office by that employee and/or the employee's immediate supervisor, manager, Director, or the City Manager. Personnel files of employees are the property of the city, and access to the information they contain is restricted. However, the information contained in an employee's personnel file may be subject to disclosure in accordance with the Texas Public Information Act.

Information Update. Each employee shall report to Human Resources within thirty (30) days any change in name, address, telephone number, and family status (births, deaths, marriage, divorce, legal separation, and change in dependents). This information will be added to the employee's personnel file.

City of Keene Personnel Policies and Procedures

Chapter 1: Authority and Administration

1.7 CONFIDENTIALITY OF INFORMATION

Origination June 28, 2007
Revised January 16, 2025

During the course of employment with the City of Keene, employees may have access to personal information about current and former employees, citizens, businesses, job applicants, persons applying for permits or processed through the Courts, addresses, telephone numbers, and other information that is to be considered confidential. No confidential information related to City business or other employees should be divulged to anyone, including media, without the approval of the department head, who shall confer with the City Manager or City Attorney to ensure compliance with the Texas Open Records Act, or other applicable laws.

Requests for employee information, job references, job questionnaires etc. must be referred to the Human Resources Department or the City Secretary.

City of Keene Personnel Policies and Procedures

Chapter 1: Authority and Administration

1.8 TOBACCO USE WHILE ON DUTY

Origination June 28, 2007
Revised January 16, 2025

In order to provide a safe and healthy workplace and to encourage healthy lifestyles, the City maintains tobacco-free facilities, vehicles, and equipment, and prohibits the use of all tobacco products by all City employees and volunteers while on duty.

Smokeless tobacco, unlit cigarettes, or chewing tobacco products may also be prohibited in buildings, facilities, and vehicles due to hygiene or professional appearance concerns at the discretion of the Department Director or designee.

Tobacco products include, but are not limited to, chewing tobacco, dip, snuff, smokeless tobacco, cigarettes, e-cigarettes, cigars, or pipe tobacco. Additionally, this policy prohibits the use of cigarette-like and herbal products, including those that are non-tobacco, including but not limited to products such as e-cigarettes, smokeless cigarettes, clove cigarettes, herbal cigarettes, herbal snuff, or like products. Non-tobacco products designed to be combusted or inhaled are not permitted. Any product designed or perceived to be designed as tobacco is not permitted.

Employees who take "smoke breaks" must comply with the City's Rest and Meal Period policy. No additional breaks or rest periods are granted to employees who smoke. Smoke breaks which are excessive in frequency or length will be treated as an attendance issue.

Per City ordinance § 95.218 Tobacco Free/Clean Air Policy, the Municipal Complex premise is designated as a clean air environment and prohibits any kind of tobacco use or alternates to tobacco.

Employees are encouraged to take advantage of smoking cessation resources offered through the city.

City of Keene Personnel Policies and Procedures

Chapter 1: Authority and Administration

1.9 ACCEPTANCE OF GIFTS

Origination June 28, 2007
Revised January 16, 2025

The purpose of the policy governing gifts to public employees is to regulate attempts to influence employees to use their authority or discretion to the advantage of the person making the gift and prevent criminal conduct per city Charter Section 11.09 on Accepting Gifts. City Charter Section 11.09, “No Officer or Employee To Accept Gifts,” reads as follows: No officer or employee of the City shall accept any gift, favor, privilege, or employment from any firm, individual, or corporation doing business or proposing to do business with the City in violation of State law or local ordinance regarding such matters.

The city recognizes that food items may be received from citizens and vendors as a thank you for services during holiday times and on other occasions. Such offerings are permissible and should be made available for the enjoyment of everyone in that particular department, division or worksite.

If the gift is determined to be inappropriate, the employee should refuse the gift in a polite and respectful manner. If a gift is not consumable and has already been delivered, it should be returned. If the sender does not want to accept the return, the employee should report the gift to the Department director who will document the receipt of the gift and donate the gift to a city program, community organization or charity, or used as a door prize at a city event.

This prohibition includes gifts to a spouse, domestic partner, or any other person within the first degree of relation to the employee.

This policy is not intended to prohibit the employees or departments from accepting discounted values when carrying out department (non-personal) business or accepting courtesies generally extended to business or governmental organizations. Examples of this could include group or government rates at hotels and air travel or free continental breakfasts.

Questions regarding acceptance of gifts should be channeled through the Human Resources Department.

City of Keene Personnel Policies and Procedures

Chapter 1: Authority and Administration

1.10 FLOWERS & RETIREMENT PARTIES

Origination June 28, 2007

Revised January 16, 2025

A. FLOWERS AND CARDS

Flowers or a card may be sent at the City's expense, for the following occasions to employees or their family members as follows:

1. Births: A gift card or flower, not to exceed \$25.00 will be sent to an employee or employee's spouse in the hospital.
2. Deaths: Flowers/plant not to exceed \$75.00, may be sent to the funeral home for the death of an employee, spouse, children, parents or stepparents of employee or spouse and family living in the employee's home. A card will be sent for any other members of the immediate family.
3. Illness or hospitalizations: Flowers not to exceed \$50.00, will be sent only to employees for illness when they are admitted to the hospital. A card will be sent for any other members of the immediate family in the employee's home.

If it is desired, it will be the responsibility of the department from which the employee belongs to, to send flowers and/or cards.

B. RETIREMENT PARTIES

The city will cover only the expense of a cake and punch, not to exceed \$75.00 for an employee who is retiring, in good standing from the City. No other expenses will be paid for or provided by the city.

City of Keene Personnel Policies and Procedures

Chapter 2: Federal & State Employment Laws & Regulations

2.1 EQUAL EMPLOYMENT OPPORTUNITY

Origination November 1, 2018

Revised January 16, 2025

It is the policy of the City of Keene that employment decisions shall be based on merit, qualifications, and competence. Except where required or permitted by law, employment practices shall not be influenced or affected by virtue of an applicant's or employee's race, color, religion, sex, national origin, genetics, sexual orientation, age, veteran status, disability, political opinions or any other characteristic protected by law. In addition, it is the City of Keene's policy to provide an environment that is free of unlawful harassment of any kind.

This policy governs all aspects of employment, promotion, assignment, discipline, discharge, and other terms or conditions of employment. Any employee who feels that they have been discriminated against should process a grievance in accordance with the City's policies and procedures in Chapter 8: Complaint Resolution.

Chapter 2: Federal & State Employment Laws & Regulations

Origination November 1, 2018
Revised January 16, 2025

A. APPLICABILITY

B. DESIGNATION

C. REQUESTS FOR ACCOMMODATIONS

Medical Certification - When an individual seeks accommodation, the city may request written documentation from any relevant professional who has knowledge of the employee's condition describing the impairment; the nature, severity and duration of the impairment; the activities that

the impairment limits; and the extent to which the impairment limits the employee's ability to perform certain activities. If the city requests documentation and the individual seeking accommodation does not provide the documentation, or it is incomplete, the city may require that the individual go to a health professional of the city's choice, at the city's expense.

D. ADA COORDINATION

Options Conference - Within ten (10) business days of receiving a request from an employee or prospective employee for a reasonable accommodation, an ADA Options Conference shall be held with the individual, the Human Resources Administrator, and the individual's supervisor (or potential supervisor) to discuss the request.

ADA Eligibility - Following the ADA Options Conference, the Human Resources Administrator shall determine if the individual is a qualified individual with a disability, as defined by the ADAAA. The Human Resources Administrator shall notify the individual in writing regarding ADA eligibility.

ADA Offer - The Human Resources Administrator shall issue a written response within ten (10) business days to the individual regarding the requested accommodation and the reasonable accommodations to be provided. The Human Resources Administrator shall consider the preferences of the individual when selecting possible accommodations; however, the city has the discretion to choose between effective accommodations.

Offer Response - The individual shall have ten (10) business days to accept or reject an offer of reasonable accommodation. If the individual does not respond, the city will assume the offer is rejected.

- a) If an offer of reasonable accommodation is rejected, the Human Resources Administrator, the individual requesting accommodation, and supervisor shall conduct one additional ADA Options Conference to discuss the case within ten (10) business days of the rejection. The Human Resources Administrator shall issue a written response to the individual within ten (10) business days of the second ADA Options Conference.

Appeal - If the Human Resources Administrator denies a request for reasonable accommodation or determines an individual is not a qualified individual with a disability as defined by the ADA, the individual may file an appeal in accordance with Chapter Eight: Complaint Resolution.

Extension - The Human Resources Administrator may extend the deadlines for any step within the ADA Coordination process by notifying the employee in writing.

City of Keene Personnel Policies and Procedures

Chapter 2: Federal & State Employment Laws & Regulations

2.3 BREASTFEEDING IN THE WORKPLACE

Origination November 1, 2018

Revised January 16, 2025

As part of our family-friendly policies and benefits, the City of Keene supports breastfeeding mothers by accommodating the mother who wishes to express breast milk during her workday when separated from her newborn child.

A. ACCOMMODATION FOR LACTATING MOTHERS

For up to one (1) year after the child's birth, any employee who is breastfeeding her child will be provided reasonable break times to express breast milk for her baby. Employees will be provided with a private place, other than a bathroom, that is shielded from view and free from intrusion from co-workers and the public, to express breast milk. The room can be a designated space for lactation. If this is not practical or possible, a vacant office, conference room, or other small area can be used so long as it is not accessible or visible to the public or other employees while the nursing employee is using the room to express milk.

All women who breastfeed their child and who need to express milk during the working day shall work with their supervisor and Human Resources to determine how best to accommodate the needs of the mother while still accomplishing the performance of her job.

Breaks of more than fifteen (15) minutes in length shall be unpaid, and the employee should indicate this break period on her time record. Employees may substitute accrued vacation and/or compensatory leave for the unpaid time. Should the employee perform any work while expressing breast milk, the time shall be compensated.

It is expected that all employees will assist in providing a positive atmosphere of support for breastfeeding employees.

City of Keene Personnel Policies and Procedures

Chapter 2: Federal & State Employment Laws & Regulations

2.4 CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT (COBRA)

Origination November 1, 2018
Revised January 16, 2025

On April 7, 1985 the COBRA law was enacted requiring the city to offer employees and their families the opportunity for temporary extension of medical benefits coverage (called continuation coverage”) at group rates in certain instances where coverage under the plan would otherwise end; i.e. employee’s resignation, termination, or reduction in hours of employment; death of spouse, termination of spouse’s employment, or reduction in spouse’s hours of employment; divorce or legal separation; spouse becomes eligible for Medicare; or any other qualifying reason as defined by COBRA.

City of Keene Personnel Policies and Procedures

Chapter 2: Federal & State Employment Laws & Regulations

2.5 FAIR CREDIT REPORTING ACT (FCRA)

Origination November 1, 2018

Revised January 16, 2025

The Fair Credit Reporting Act (FCRA) requires employers utilizing consumer reports for employment purposes to:

- Notify applicants, in writing, that a consumer report may be obtained. A written authorization of the applicant or employee is required prior to requesting the report.
- Before rejecting an applicant or taking other adverse action, provide the applicant or employee a notice that includes a copy of the consumer report relied upon in making the decision and notice of their rights under the Act.
- After adverse action is taken, notify the applicant or employee that the adverse action is taken based on the consumer report.

For more information on the FCRA, contact Human Resources.

City of Keene Personnel Policies and Procedures

Chapter 2: Federal & State Employment Laws & Regulations

2.6 FAIR LABOR AND STANDARDS ACT (FLSA)

Origination November 1, 2018

Revised January 16, 2025

The Fair Labor Standards Act (FLSA) establishes minimum wage, overtime, record keeping, and child labor standards and applies to all full-time and part-time employees. As amended in 1985, FLSA provides the option for compensatory time in lieu of overtime compensation for non-exempt employees.

Executive, administrative, and professional employees are exempt from the FLSA overtime requirements.

The City will comply with the FLSA, which establishes the minimum wage for non-exempt employees. (See the Compensation section for more information.)

City of Keene Personnel Policies and Procedures

Chapter 2: Federal & State Employment Laws & Regulations

2.7 FAMILY AND MEDICAL LEAVE ACT (FMLA)

Origination November 1, 2018

Revised January 16, 2025

This policy establishes the provision of unpaid time away from work for medical and family reasons in accordance with the guidelines set forth in the Family and Medical Leave Act of 1993 (FMLA).

A. EMPLOYEE ELIGIBILITY

To be eligible for FMLA leave, an employee must have worked for the City:

1. For at least twelve (12) months (the 12-month period may include time previously worked for the City of Keene so long as the time worked was no more than seven (7) years ago)
2. For at least one thousand two hundred fifty (1,250) hours during the twelve (12) months preceding the start of the leave. The 1,250 hours do not include time spent on paid or unpaid leave. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.

B. LEAVE ENTITLEMENT

Eligible employees may take FMLA leave for one or more of the following reasons:

1. For the birth or placement of a child for adoption or foster care; must be taken within one (1) year of birth or placement of the child.

Intermittent leave may be allowed if it meets the criteria listed below:

2. To care for a spouse, child, or parent with a serious health condition.
3. When the employee is unable to perform the functions of his/her position because of his/her own serious health condition.
4. Because of a qualifying exigency based upon USERRA Laws, due to a family member leaving for military deployment out of the country.
5. Qualifying exigency leave to care for covered military personnel injured in the line of duty and requiring care from designated next of kin. Next of kin means the nearest blood relative designated as such by the covered service member.

The qualifying exigency must be one of the following:

- a. short-notice deployment
- b. military events and activities
- c. childcare and school activities

- d. financial and legal arrangements
- e. counseling
- f. rest and recuperation
- g. post-deployment activities, and
- h. additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on the timing and duration of the leave.

C. DEFINITIONS

Child. A biological, adopted, foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis (in place of a parent). The child must be under eighteen (18) years of age, or eighteen (18) or older and incapable of self-care because of a mental or physical disability.

Parent. The biological, adoptive, step or foster parent, or any individual who stood in loco parentis to an employee when the employee was a child; this does not include a parent-in-law.

Serious Health Condition. An illness, injury, impairment or physical or mental condition that involves:

1. Any period of incapacity or treatment in connection with or consequent to inpatient care in a hospital, hospice, or a residential medical care facility.
2. Any period of incapacity requiring absence from work, school, or other daily activities, of more than three (3) calendar days, or two (2) or more shifts for Fire suppression employees, that also involves continuing treatment by a healthcare provider.
3. Two or more in-person visits to a healthcare provider for treatment within thirty (30) days of the first day of incapacity unless extenuating circumstances exist. The first visit must be within seven (7) days of the first day of incapacity; or
4. At least one in-person visit to a health care provider for treatment within seven (7) days of the first day of incapacity, which results in a regimen of continuing treatment under the supervision of the healthcare provider. For example, the health provider might prescribe a course of prescription medication or therapy requiring special equipment.
5. Prenatal care.

D. EMPLOYEE'S NOTICE REQUIREMENTS

In order for the City to accommodate an employee's workload during their absence, an employee seeking to take FMLA leave must provide both their Department Director and Human Resources Department with at least thirty (30) days' advance notice when the leave is foreseeable. If the leave is not foreseeable, an employee is expected to provide both their Department Director and the Human Resources Department with as much advance notice as possible, following the City's and their department's usual and customary call-in procedures for reporting unscheduled

absences. In the event of medical leave for planned medical treatment for the employee or for the employee's spouse, child or parent, the employee is required to make a reasonable effort to schedule the treatment so as not to disrupt unduly the City's operations. An employee shall keep the Human Resources Department informed about their condition or status and provide an anticipated return date supported by pertinent documentation. If the employee does not provide the employer with enough information to know that the leave may be covered by the FMLA, the leave may not be protected.

All supervisors must immediately notify both their Department Director and the Human Resources Department if they have reason to believe an employee's absence is due to an FMLA covered reason. (Note: Under FMLA, an employee requesting paid or unpaid leave for an absence covered by the FMLA is not required to expressly mention FMLA. If the employee states a reason that qualifies for FMLA leave, the employee will likely have met the FMLA's notice requirements.)

E. MEDICAL CERTIFICATION AND OTHER REQUIRED DOCUMENTATION

1. The City of Keene has up to five (5) days to request a certification. An employee must provide the Human Resources Department with a medical certification from their healthcare provider within fifteen (15) days of the request for leave, supporting the need for FMLA leave due to a serious health condition affecting the employee or the employee's spouse, child or parent. The certification must set forth the beginning and expected ending date(s) of the leave. In the case of intermittent leave, the certification must also provide the dates and duration of the treatments necessitating the intermittent leave.
2. The employee is responsible for both the cost of getting the certification from a health care provider and for making sure that the certification is provided to the Human Resources Department within fifteen (15) days.
3. An employee must also provide periodic reports during FMLA leave as to their status, an intent to return to work, and may be required to submit a "fitness-for-duty" certification detailing any restrictions before the employee can return to work. The Department Director is responsible for determining if those restrictions can be accommodated. If the release does indicate restrictions, further releases are required until all restrictions are removed. The employee must check in with their supervisor or Human Resources at least once every two weeks while on restrictions. If the employee discovers that the amount of leave originally anticipated is no longer necessary, the employee must provide the City with reasonable notice (two (2) business days) of the changed circumstances if foreseeable. In some cases, the City may require a second or third medical opinion (at the City's expense) and periodic recertification of the serious health condition. If an employee fails to provide any required certification within fifteen (15) days, from the request, the City may deny leave until the certification is provided. If an employee elects to take FMLA in order to care for a family member, the employee may be required to provide reasonable documentation confirming a family relationship and/or their medical needs.
4. Certification cannot be requested for leave to bond with a newborn or a child placed for

adoption or foster care. However, you may be required to submit documentation or statement of family relationship to the individual for whom the employee will be caring. This documentation may take the form of a child's birth certificate, a court document or a simple statement. Any official documents submitted for this purpose will be returned to the employee.

5. The City may request recertification for the serious health condition of the employee or the employee's family member no more frequently than every thirty (30) days unless circumstances have changed significantly, or if the employer receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the company may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence. The City may provide the employee's health care provider with the employee's attendance records and ask whether the need for leave is consistent with the employee's serious health condition.

F. LEAVE TIME

Employees are eligible for Family and Medical Leave for an aggregate total of up to twelve (12) workweeks in a twelve (12) month period. To determine eligibility for leave, the City uses a rolling 12-month period measured backward from the date of any FMLA last taken. When Calculating family leave balances within any twelve (12) month rolling period, only leave expressly authorized as family/medical leave shall be deducted from the twelve (12) weeks of leave entitlement to determine the applicable family/medical leave balance. Routine vacation, sick, compensatory or other similar paid leave taken during such twelve (12) month period shall not be deducted from the family/medical leave balance. Vacation, sick, compensatory or other similar paid leave which is expressly taken in connection with family/medical leave shall be deducted from the family/medical leave balance.

1. **Intermittent Leave.** An eligible employee may take FMLA on an intermittent or reduced schedule basis only if deemed "medically necessary," or otherwise approved by their Department Director.
For the birth, adoption or foster care of a child, the city and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.
When intermittent leave is needed, the employee must try to schedule the leave so as not to unduly disrupt the Department's or City's operations. The City may temporarily transfer the employee to an alternative position (with equivalent pay and benefits) in order to better accommodate an employee's intermittent or reduced leave schedule.
2. All allowable paid leave **MUST** be depleted prior to taking the requested leave as unpaid leave for any of the aforementioned circumstances. Sick time must be depleted first, then compensatory time, vacation, and holiday before any other available banks are accessed before an employee may go on unpaid status.
3. While out on FMLA, an employee will only accrue leave if they are eligible for pay based on the minimum monthly standard (half the month). Part-time employees must

have worked or been paid for 40 hours, full-time (2080) employees must have worked or been paid for 80 hours and fire suppression employees (2912) must have worked or been paid for 112 hours in that month.

4. Paid leave is defined as having enough accrued time available to receive compensation. Unpaid leave is defined as no time is available and no compensation is received. Holidays will be paid in accordance with the Holiday policy. Employees on paid FMLA leave will be paid for the holiday. Employees on unpaid leave are not eligible for holiday pay
5. FMLA time runs concurrently with all paid leave and with Worker's Compensation.
6. The birth of a healthy child where the spouse is also healthy allows the employee father or employee adoptive parent to use up to ten (10) days of sick leave. For a 2080-hour employee, this will be ten (10) eight (8) hour days for a total of eighty (80) hours. For a fire suppression employee (2912), this will be ten (10) twelve (12) hour days for a total of one hundred twenty (120) hours. The rest of the time used by the employee father or employee adoptive parent must be accrued vacation, compensatory time, or holiday pay. If a serious health condition of the spouse or the baby is involved, accrued sick leave may be used by the employee father or adoptive parents with proper documentation.
7. If both spouses are employed by the City of Keene, the combined leave shall not exceed 480 hours (12 work weeks) or 1040 hours (26 work weeks), as applicable.
8. The least amount of time that can be used for calculation of leave is fifteen (15) minute increments.
9. When a holiday falls during a week in which an employee is taking the full week of FMLA, the entire week is counted as FMLA leave. However, when a holiday falls during a week when an employee is taking less than the full week of FMLA leave, the holiday is not counted as FMLA leave, unless the employee was scheduled and expected to work on the holiday and used FMLA leave for that day.
10. Light Duty. Time spent on light duty does not count against the employee's FMLA time.
11. An employee who is released for and offered light duty by the City, who elects not to accept such an assignment, will be ineligible for paid sick leave benefits, salary continuation under worker's compensation, any other leave benefit, or long-term disability but may still be entitled to unpaid leave under the City's Family Medical Leave Act Policy.
12. Caregiver Leave. Under the National Defense Authorization Act (NDAA), an eligible employee who is the spouse, son, daughter, parent or next of kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty is entitled to up to twenty-six (26) workweeks of leave in a single twelve (12) month period to care for the service member.

Under the NDAA, eligible employees are entitled to up to twelve (12) workweeks of leave because of any qualifying exigency arising out of the fact that the spouse, son, daughter, or parent of the employee is on active military duty or has been notified of an impending call to active duty status, in support of a contingency operation.

G. BENEFITS

1. **Insurance.** During any period of FMLA, the City will continue to pay its portion, if any, of any group health insurance coverage for the employee on the same terms as if the employee had continued to work. If an employee works more than fifteen (15) days in a month, longevity and certification pay will be paid for that month. Where applicable, the employee must pay their share of health insurance premiums while on FMLA leave by no later than the following Monday of the regularly scheduled pay date. The City may recover premiums it paid to maintain health coverage for an employee who fails to return to work from FMLA unless the employee is unable to return due to a serious health condition or something beyond the employee's control. Medical certification is required under such circumstances.

The employee's use of FMLA will not result in the loss of any employment benefit that accrued prior to the start of the employee's leave, nor will seniority be affected. However, benefit accruals, such as vacation, holiday, and sick leave, will be suspended during any unpaid leave.

2. **TMRS.** If an employee is on unpaid leave, they may not contribute to TMRS. However, if an employee is receiving worker's compensation, the employee may arrange to have those months of leave be covered and have contributions made to the system. Contributions to TMRS may be made on a voluntary basis through a special arrangement with the City while an employee is on a leave without pay status. The city will match the employee's contribution, at the current rate, only if the employee chooses to contribute while on worker's compensation. It is the employee's responsibility to initiate such an arrangement by timely contacting Human Resources and completing the necessary paperwork.
3. Upon return from FMLA, an employee will be restored to their original job or to an equivalent job with equivalent pay, benefits, and other terms and conditions. Ordinarily, an employee will be restored to the same position the employee held prior to FMLA with the same pay and benefits, assuming the position remains available. However, there is no guarantee an employee will return to the same position.

H. OTHER PROVISIONS

1. Under no circumstances may an employee on FMLA, sick leave, disability leave, or Workers' Compensation leave engage in outside employment unless expressly authorized in writing in advance by the Department Director and the City Manager. A copy of the written approval must be sent to the Human Resources Department.
2. The FMLA does not affect any federal or state law prohibiting discrimination. This policy is intended to explain benefits available to eligible employees under the FMLA. It

is not intended to create any rights to leave beyond those created by FMLA. If additional information is needed on FMLA, please contact the Human Resources Department. When an employee gives notice of the need for FMLA leave, the employee will be given additional information as to his or her rights and responsibilities under the FMLA and the city's policies to which they must adhere.

I. SEPARATION

A regular employee who continues to be unable to perform the essential functions of the job for which they were hired may be terminated after all Family and Medical Leave is exhausted and/or after six (6) months of incapacity, if it is shown that:

1. The employee is unable to return to their position and perform the essential functions of the job, with or without reasonable accommodation.
2. The employee is unable to transfer to another position within the City and perform the essential functions of the job with or without reasonable accommodation.

The six (6) month period shall be measured cumulatively and consecutively during a twelve (12) month period measured backward from the date of any FMLA Leave last taken.

J. FRAUDULENT CLAIMS

An employee who fraudulently claims family/medical leave is not protected by the FMLA's job restoration or maintenance of health benefits provisions and may be subject to disciplinary action, up to and including termination.

City of Keene Personnel Policies and Procedures

Chapter 2: Authority and Administration

2.8 HEALTH INSURANCE PORTABILITY & ACCOUNTABILITY ACT (HIPPA)

Origination November 1, 2018
Revised January 16, 2025

The Health Insurance Portability and Accountability Act (HIPAA) requires the City to ensure that all medical information regarding an employee is maintained in a confidential manner; and protects health insurance coverage for employees and their families when they change or lose their jobs. In compliance with this Act, the City maintains all medical information separate from all personnel files; and provides employees with notices regarding their rights to continued coverage and ensures the City health insurance providers comply with this Act.

Contact Human Resources for more information on this Act.

City of Keene Personnel Policies and Procedures

Chapter 2: Authority and Administration

2.9 WHISTLEBLOWER ACT

Origination November 1, 2018

Revised January 16, 2025

It is the policy of the city to comply with the Texas Whistleblower Act. The Act states that “a state or local governmental entity may not suspend or terminate the employment of, or take other adverse personnel action against, a public employee who in good faith reports a violation of the law by the employing governmental entity or another public employee to an appropriate law enforcement authority.” Texas Government Code Ann. §554.002 (Vernon 1995).

A. APPEAL AND COMPLAINT PROCEDURE

Section §554.006 of the Texas Government Code states “A public employee must initiate action under the complaint or appeal procedures of the employing state or local governmental entity relating to suspension or termination of employment or adverse personnel action before suing under this chapter.”

Refer to Chapter 8: Complaint Resolution for information regarding appeals, complaints, and grievances.

City of Keene Personnel Policies and Procedures

Chapter 2: Authority and Administration

2.10 IMMIGRATION LAW COMPLIANCE

Origination November 1, 2018

Revised January 16, 2025

The City is committed to employing only those individuals who are authorized to work in the United States and who comply with the requirements of the Immigration Reform and Control Act (IRCA). Under IRCA, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form (I-9) and present legally acceptable documentation to Human Resources establishing identity and employment eligibility. This must be done within three (3) days of beginning employment. Failure to provide the necessary documentation within three (3) days will result in termination of employment. Former employees who are rehired must also complete an I-9 Form if they have not completed one for the City within the past three (3) years, or if their previous I-9 Form is no longer retained or valid.

City of Keene Personnel Policies and Procedures

Chapter 3: Recruitment and Employment

3.1 RECRUITMENT

Origination June 28, 2007
Revised January 16, 2025

The intent of the Recruitment Policy is to identify the process by which staff vacancies are filled in a timely, objective process in order to produce skilled, qualified, engaged employees in compliance with federal, state, and local employment law in such a manner as to reduce negative impact to the hiring department.

A. GUIDELINES FOR RECRUITING QUALIFIED APPLICANTS

Recruitment is conducted in an effort to attract and select the most qualified candidates while complying with all Federal, State, and local laws.

B. EVALUATION OF JOB DESCRIPTION

When a vacancy occurs, the hiring supervisor shall carefully evaluate the job description of the open position to determine if there have been any significant changes to the essential job functions, experience, and/or educational requirements. The position will be appropriately placed within the pay plan according to the position's duties and responsibilities.

C. PERSONNEL REQUISITION

A Job requisition must be completed for each vacancy by the department head where the vacancy exists and must be approved by the Director of Human Resources and Finance to ensure the position is authorized in the budget, prior to the initiation of the recruitment process.

D. ADVERTISING VACANCIES

Job vacancies are posted on the City website and the Texas Municipal League Job Board. A director may choose to post a vacancy on additional sites, but their department will be responsible for the cost of the posting.

E. CLOSING DATES FOR VACANCIES

Closing dates for accepting applications are established by Human Resources and the affected department. The City will accept no applications or résumés after the closing date.

F. INTERNAL APPLICANTS

A current City employee, wishing to apply for a vacancy in another department, shall submit, a

transfer request along with an updated résumé, to the Human Resources Department for consideration of a position. The current employee will be required to complete the hiring process the same as all other applicants.

G. REVIEW OF APPLICATIONS AND/OR RESUMES BY HUMAN RESOURCES

The Human Resources Department will review all applications and/or résumés received to ensure all candidates meet or exceed the minimum qualifications. All candidates must meet the minimum qualifications to be considered for hire. The Human Resources Department will offer all applications or résumés to the hiring supervisor for the supervisor's review and selection of those candidates to be tested and/or interviewed. All hiring supervisors should verify that the applicant meets the minimum requirements for the position.

H. SELECTION

New employees shall be selected on the basis of their job-related qualifications for a position as determined through a thorough and objective selection process that may include, but is not limited to: application review, validated pre-employment skills testing, interview, and background investigation.

No oral or implied hiring or compensation agreements that differ from written policy or authorized salary plans will be honored unless expressly authorized, in writing, by the Human Resources Department and approved by the City Manager.

Notice of all new positions or vacancies to be filled will be posted on the City of Keene website and Facebook page. Each vacancy posting will list the minimum qualifications for the position and the last date applications for the position will be accepted. Employees who meet the minimum requirements for a vacant position and wish to apply are encouraged to contact the Human Resources Department. The minimum posting period is five (5) business days, which includes positions available for promotions. Some position vacancies may be limited to employees within the department because of specific certifications and job experience required.

I. HIRING DEPARTMENT/SUPERVISOR RESPONSIBILITY

Each hiring supervisor is responsible for reviewing all applications received by the Human Resources Department and selecting candidates to interview. The hiring supervisor will contact the applicants to arrange the interviews.

J. CONDITIONAL OFFER OF EMPLOYMENT

Upon selection of the final candidate, the hiring supervisor will initiate the conditional offer. Once the conditional offer has been accepted Human Resources will conduct any required drug testing and/or physical examination, background check, driving record report, etc. Upon successful completion of all required elements, Human Resources will contact the hiring

manager to determine the desired start date and will complete all necessary paperwork and documentation to onboard the new employee.

K. JOB-RELATED TESTS

Background Checks All applicants selected for employment will have their criminal record, the sex offender list, social security number, and address verification checked through a vendor that provides such services. Recruiting guidelines for employment will be followed in the event of any criminal history. Social security number must be substantiated, or the applicant will be given a period of time to resolve the issue.

Credit Checks Applicants selected for employment for identified positions that handle money have a credit check performed periodically to identify risks and limit liability.

Drug (Controlled Substance) Tests All applicants for employment shall be required to consent to, in writing, and pass, a controlled substance test, as a prerequisite to employment. When requested by the testing laboratory, applicants must provide the appropriate sample for testing. Applicants for employment who do not consent to, in writing, and pass, the required controlled substance test will not be hired.

Skills Testing Depending on the position, a variety of tests may be administered to applicants. Such a test may include typing, data entry, listening skills, behavioral testing, written tests, live simulations, management inbox scenarios, etc.

Driving Records Driving records will be checked before any applicant is hired and annually throughout employment to ensure that no persons with unsafe driving records (as defined in section 3.7 Driving Records) will be operating City-owned vehicles or driving any vehicle while on City business.

Employees who have a revoked or suspended driver's license, or who no longer qualify for the safe driving record requirement, must notify the Human Resources Director immediately so that all City-related driving responsibilities can be terminated. Because of the potential for liability to the City and the high cost of insurance, we must require all of our drivers, including those who drive his/her own vehicles while on City business, to maintain a current motor vehicle operator's license, liability auto insurance, and a safe driving record.

Polygraphs During the course of an investigation, an employee may be asked to submit to a polygraph examination conducted by a licensed polygraph operator of the City's choosing. Polygraph tests are conducted only in accordance with applicable State and Federal laws governing such tests. Police and Fire Department personnel will be asked to submit to a polygraph examination as part of the screening/hiring process.

Psychological Evaluations Police and Fire Department applicants will be asked to submit to a psychological evaluation conducted by a licensed doctor of the City's choosing. Psychological evaluations are conducted only in accordance with applicable State and Federal laws governing such tests.

Medical Examinations for New Hires Applicants who have been made a conditional offer of a job will be required to undergo a thorough medical examination by a physician designated by the City, the cost of which will be borne by the City. This examination will include drug (controlled substance) testing to determine the presence of any form of substance abuse. No applicant will be allowed to work until the applicant has been certified to meet the minimum physical qualifications for the job. The City shall not employ applicants who fail the medical examination unless the applicant qualifies under the Americans with Disabilities Act and requests an accommodation, which can be reasonably made for the position. (Refer to ADA Policy in Section 2.01 in this Handbook).

Current Employees In the interest of safety or for any other reasonable cause for concern as to the employee's ability to perform job-related tasks, the City may require an employee to report to a doctor of the City's choosing for a complete physical and mental evaluation including controlled substance and alcohol testing. Public safety personnel may also be required, at any time, to demonstrate physical fitness as measured by standards for the regular physical fitness test. Refusal to submit to an examination may be reason for dismissal. Employees are expected to maintain the same minimum standards of physical and mental fitness required of new applicants for their particular position. All department requests for evaluations shall be coordinated through the Human Resources Department.

Confidentiality of Medical Records Unless required by law, all medical information obtained in an examination by physicians designated and paid for by the City shall be the property of the City. All records are considered confidential and shall be maintained separately from all personnel files.

City of Keene Personnel Policies and Procedures

Chapter 3: Recruitment and Employment

3.2 HIRING REQUIREMENTS & GUIDELINES

Origination June 28, 2007

Revised January 16, 2025

The purpose of this chapter is to describe how the City of Keene provides employment opportunities for those persons who are interested in and qualified to work for the City. The City seeks to hire and retain competent employees who are honest and technically competent, show respect for fellow members of the City team, and recognize the responsibility that public employees have to our customers.

All employee recruitment activities are to be conducted in a manner consistent with the policies of the City of Keene and applicable State and Federal laws. Recruitment activities are performed in compliance with the Federal Equal Employment Opportunity Regulations.

A. RECRUITMENT REQUIREMENTS

The recruitment process is initiated by a hiring supervisor submitting a request for staffing to Human Resources. When a vacancy occurs, the hiring supervisor shall carefully evaluate the job description of the open position to determine if there have been any significant changes to the essential job functions, experience, and/or educational requirements. The City strives to attract a diverse group of candidates for employment and advertises open positions widely. Open vacancies must be posted a minimum of five (5) business days before a candidate is selected. The hiring supervisor will review applications, make interview appointments, conduct the interviews, check applicant references, and extend the conditional and regular offer of employment. Human Resources will assist if and when necessary.

Upon selection of the final candidate, Human Resources will conduct all required pre-employment screening including drug testing, physical examination, motor vehicle report and any additional requirements pertaining to DOT positions. Upon successful completion of all required elements, Human Resources will contact the hiring manager to determine the desired start date and will complete all necessary paperwork and documentation to onboard the new employee.

The recruitment method for vacant director level positions may be determined by the City Manager on a case by case basis.

B. INTERNAL EMPLOYEES

A current City employee, wishing to apply for a vacancy in another department, shall submit, at a minimum, a transfer request with an updated résumé to the Human Resources Department for consideration of a position. The current employee will be required to complete the hiring process the same as all other applicants.

C. DISQUALIFICATION FROM THE PROCESS

Applicants will be disqualified from consideration for one or more of the following:

1. Failure to meet the minimum qualifications necessary for the performance of the duties for the position;
2. If they previously worked for the city and were terminated, or resigned in lieu of termination, due to unsatisfactory performance or conduct and/or violation of a City Policy or procedure;
3. If their employment will result in a violation of the city's nepotism policy;
4. False statements or material omissions on the application form or during the application process;
5. Failing any of the City's background and employment requirements including, but not limited to, drug testing, physical examinations, and acceptable driving record with an active driver's license;
6. The applicant commits or attempts to commit a fraudulent act at any stage of the selection process;
7. The applicant is not legally permitted to work in the United States;
8. The applicant is unable to perform the essential functions of the job applied for with or without a reasonable accommodation; or
9. Unacceptable criminal history. *Refer to Section E of this policy.*
10. Any other reason deemed to be in the best interest of the City.

D. BACKGROUND CHECK

Our employee background check policy refers to our guidelines for investigating our job candidates' backgrounds as part of our hiring process. Background checks help us:

1. Get insight into candidates' background
2. Ensure we hire reliable employees
3. Verify candidates' information for truthfulness and accuracy
4. Screen candidates convicted of serious criminal behavior

E. CRIMINAL RECORDS CHECK

A criminal records check is required on all potential new hires, temporary workers, volunteer workers, interns, and contract workers. If an outside agency has already conducted a criminal record check on its employees who are contracted to work for the City, a criminal records check must still be conducted by the Human Resources Department unless a contract or agreement states otherwise.

The Human Resources Department will conduct criminal history record reviews and will determine through the individualized assessment procedures described below whether the individual should be excluded from employment, volunteering, an internship, or working in a contract status.

Individualized Assessment

Only Human Resources employee(s) authorized to view criminal history records will be involved in conducting an individualized criminal history record review. Consistent with business necessity, the City shall disqualify a person, from employment, volunteering, working as an intern or contractor, whose criminal history is inconsistent with the job duties of the position for which the person is being considered.

The City shall perform an individualized assessment of criminal history record information when determining a person's eligibility for employment or volunteer, internship, or contract work in a specific position.

The City shall take into account a variety of factors, which may include the following:

1. The nature of the offense;
2. The age of the person when the crime was committed;
3. The date of the offense and how much time has elapsed;
4. the adjudication of the offense (e.g., whether the person was found guilty by a trier of fact, pled guilty, entered a no contest plea, or received deferred adjudication);
5. The nature and responsibilities of the job sought;
6. The accuracy of the person's disclosure of his or her criminal history during the selection process;
7. The effect of the conduct on the overall environment;
8. An indication of rehabilitation or lack of rehabilitation;
9. Potential liability if the individual is retained or not retained; and
10. Any further information provided by the person concerning his or her criminal history record.

In conducting the individualized assessment, the Human Resources Department will consider both the factors set out above and any additional information provided by the individual.

If the background check reveals a criminal history that disqualifies the applicant/volunteer/intern/contractor from the position the employee or candidate may be given five (5) business days from notice of the disqualification to respond to issues related to the criminal record check. Confirmed falsification or omission of information regarding criminal history will result in removal from consideration for the position and may preclude consideration for future positions. If a current employee is found to have falsified or omitted information from an application for a promotion or transfer, the employee may be subject to disciplinary action, up to and including termination.

With the exception of the Police Department, no other department should conduct criminal background checks without the approval of Human Resources.

Some departments may be subject to licensure requirements including but not limited to the *Texas Commission on Law Enforcement Officer Standards and Certifications*, *Texas Commission on Environmental Quality*, or any other required State license essential for a position.

City of Keene Personnel Policies and Procedures

Chapter 3: Recruitment and Employment

3.3 EMPLOYMENT APPLICATIONS

Origination November 1, 2018

Revised January 16, 2025

Employment with the City of Keene shall be based on experience, job knowledge, and qualifications for the position. The following applies to all applications for employment:

- The employment application must be completed in its entirety to the best of the applicant's ability and must be signed and dated
- Supplemental pages may be attached to the employment application to provide added information such as work history or photocopies of degrees, certifications, licenses, etc.
- The hiring supervisor is responsible for reviewing all employment applications, ensuring all candidates meet or exceed the position's minimum qualifications, and selecting candidates to interview.
- Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the candidate from consideration for employment for up to two (2) years from date of application, or termination if the person has been hired.
- Applications that have resulted in employment shall be included in the employee's official employment records.
- All employees must have a completed employment application, and resume if applicable, on file in the Human Resources Department.

A. EVIDENCE OF QUALIFICATIONS

Applicants for positions that are scientific, professional, or technical, or duties that require special qualifications, may be required to provide documentary evidence of necessary education, training or experience.

B. REQUIREMENTS OF EMPLOYMENT

The City relies on the accuracy of information provided by individuals in their resume and employment application, as well as other data provided throughout the hiring process and during the employment. Any misrepresentations, falsifications, or material and/or purposeful omissions in any of this information may result in the exclusion of the applicant from further consideration for employment or, if the person has been hired, they will be terminated from employment.

To be eligible for employment with the City, or for a change in present personnel status, an individual must:

- Be at least sixteen (16) years of age depending upon the requirements of each position;
- Have a social security number;
- Agree to be fingerprinted, if requested;

- Agree to a polygraph examination related specifically to job performance for positions designated by the City Manager, if requested and such examination is not prohibited by law;
- Where permitted by law, pass a physical and/or psychological examination administered by a licensed medical examiner selected by the City, to ensure ability to perform essential duties of the job;
- Agree to alcohol and drug screening tests;
- Satisfactorily complete any interviews, examinations, and performance tests, if required because of job duties;
- Show proof of United States citizenship, legal residence, or other documentation that establishes employment eligibility in the United States, as required by the Department of Homeland Security;
- Possess a valid Texas driver's license and have an acceptable driving record in compliance with City policy, where applicable, unless waived by the City Manager;
- Meet minimum requirements of the job description for which employment is sought and submit to all other employment procedures administered by the Human Resources Department. Human Resources and/or the hiring supervisor may consider the totality of an applicant's education and employment history in determining compliance with the minimum requirements.

C. SWORN POLICE VACANCIES

The Police Chief or designee will administer the application process for all sworn police positions. Responsibilities related to the application process include:

- Reviewing all applications and personal history statements;
- Administering and scoring any physical ability test used to test applicants;
- Written exam;
- Panel interviews; and
- Setting all appointments for medical examinations and oral review boards.

D. CERTIFIED FIRE VACANCIES

The Fire Chief or his designee will administer the application process for all certified fire positions. Responsibilities related to the application process include:

- Reviewing all applications and personal history statements;
- Written exam;
- Administering and scoring any physical ability test used to test applicants;
- Panel interviews; and
- Setting all appointments for medical examinations and oral review boards.

E. RETENTION OF APPLICATIONS

Employment applications of candidates shall be maintained on file for the retention period specified by the city's retention schedule (2 years from date of application).

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3.4 PROBATIONARY PERIOD

Origination June 28, 2007
Revised January 16, 2025

All employees shall serve a probationary period. This applies to new hires or employees who are promoted, transferred or demoted. Civilian personnel shall be required to serve a probationary period of six (6) months and sworn Police and Fire uniformed personnel shall be required to serve a probationary period of twelve (12) months. The probationary period allows time for supervisors to closely observe and evaluate the work of probationary employees and to aid and encourage them in adjusting to the position.

A. EXTENSION OF PROBATION

Under certain circumstances, a probationary period may be extended. The approval of the Department Director and the Human Resources Administrator is required to extend a probationary period.

B. PROMOTIONAL AND LATERAL PROBATION

An employee who transferred or promoted to a new position will be required to serve a three (3) month probationary period but will have access to leave banks without probationary restrictions listed in section F of this policy. An employee who is transferred to a position because their work has not been satisfactory may be subject to an extended probationary period at the discretion of the department head or supervisor.

C. REVIEW OF WORK

During the probationary period, the probationary employee's supervisor is responsible for reviewing the quality and efficiency of the employee's work. At the completion of the initial probationary period, an evaluation shall be conducted by the supervisor on the appropriate evaluation form provided by the Human Resources Department.

D. RIGHT OF APPEAL

An initial hire employee who has been dismissed from city service for failure to successfully complete probation shall not have the right to appeal, except as provided under the unlawful discrimination complaint procedures. Employees who are promoted, transferred or demoted into a new position who have been dismissed from city service for failure to successfully complete the probationary period shall have the right to appeal.

E. EFFECT OF PROBATIONARY PERIOD

The successful completion of the probationary period, and the existence of and access to the appeal procedure shall not constitute any limitation on the rights of the city to manage its affairs. All employees hold their positions at the will and pleasure of the city and may be terminated with or without cause when, in the opinion of the direct supervisor, Department Director, or City Manager, such action is in the best interest of the city.

F. USE OF LEAVE

An employee in their initial probationary period shall accrue leave benefits beginning on their date of hire and may utilize them as follows:

- Sick leave may not be utilized within the first three (3) months of employment. If utilized after three (3) months of employment but before the initial or extended probationary period, a doctor's note will be required.
- Vacation leave may not be utilized until the completion of the initial or extended probationary period has been completed.
- Compensatory time may be utilized if available until the employee has completed their probationary period but must be approved by their supervisor.

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3.5 PROMOTION & TRANSFER

Origination June 28, 2007

Revised January 16, 2025

It is the policy of the City to allow the transfer of employees between positions and departments to promote from within, where possible when filling vacant or newly created positions. All employees are eligible for transfer or promotion to currently vacant positions. Employees interested in available opportunities for promotion or transfer should review job postings as available on area bulletin boards, the city's website or in the Human Resources Department. A transfer request and an updated resume should be turned in to Human Resources prior to any posted closing date for openings. This policy statement does not, in any manner, guarantee an employee promotion or create a contract of employment (expressed or implied).

A. QUALIFICATIONS

A promotion or transfer shall be based on qualifications, proven performance, merit, and the ability to perform the duties and responsibilities of the position. Employees who are promoted or transferred to a new position must serve a three-month probation from the date of the promotion or transfer. This includes promotion into a reclassified position. This time is meant to provide a period when an employee becomes familiar with their new job. The promoted or transferred employee determines whether he or she can perform the duties of the job. Likewise, the City determines whether the employee can perform assigned tasks satisfactorily and whether the employee complies with work rules and regulations.

Should a promoted or transferred employee not successfully complete the probationary period, the employee is eligible to return to the previous position held, if available. If no position is available for which the employee is qualified, the employee will be terminated.

B. PROBATIONARY PERIOD

Employees are not eligible to transfer or promote into other positions while on probation following a lateral transfer, promotion, or demotion without approval from the City Manager. This is to ensure that both the employee and department have an adequate amount of time to assess fitness for the position and that training and resources are utilized wisely when someone enters a new position.

If a probationary employee cannot satisfactorily perform the assigned duties of the position into which he or she was promoted or laterally transferred, the Department Director or designee can return the employee to his or her former position, if still available, or into another comparable position, if such a position is available. If the promotion or lateral transfer was to another department, the two Department directors or their designees may work together to find a solution. If the employee is returned or moved to a lower paying position, the employee's pay may be reduced to the employee's pay prior to the promotion or transfer. The reversal of the promotion is not considered a disciplinary demotion and therefore is not appealable. If the employee's original position is no longer available and if there is not a suitable alternative

position, the employee's current Department director will be responsible for terminating the employee.

C. USE OF LEAVE BANKS

Employees have access to accrued leave during probation for a promotion or transfer. These probationary periods are subject to an extension like any other probationary period.

Transfer between departments shall be effected without loss of vacation, sick leave or other benefits to the employee. Scheduled vacations must be re-authorized by the Department Head of the employee's new department. If selected for transfer or promotion, the employee must give at least two weeks' notice to the employee's current department, unless waived by the employee's department director.

D. DUTIES OF MANAGEMENT

Unless there are extenuating circumstances, managers who are considering a transfer or promotion of another employee from another department should contact the manager who is subject to losing the employee and advise them of the application status as a professional courtesy. Managers are expected not to retaliate against employees who are striving to change or better their employment circumstances.

E. LATERAL TRANSFERS

Transfers may be requested to other positions in the employee's same salary level (called a lateral transfer) to positions in lower-paying salary levels or to positions in higher-paying salary levels. A lateral transfer will not affect the employee's salary, however; a transfer to a lower-paying job may require an adjustment in salary and other salary-related benefits. If the employee is transferring to a higher-paying position, the transfer may be considered a promotion and a salary increase may be authorized.

F. CHANGE IN FLSA STATUS

If a nonexempt employee moves to an exempt position, any unused compensatory time accumulated while the employee was nonexempt will be paid out at the nonexempt rate at the time of the move.

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3.6 DEMOTION

Origination June 28, 2007
Revised January 16, 2025

A demotion occurs when an employee is moved into a job classification having a salary grade with a lower entry pay amount than the previously held classification because of work performance, or job-related conduct that does not meet established standards or for the inability to improve performance. Demotions may also occur due to management-initiated actions. Demotions can be considered for employees who would be successful in a lower position with less responsibility or with lower expectations.

Employees who are demoted to a new position must serve a six-month probation from the date of the demotion. This includes promotion into a reclassified position. This time is meant to provide a period when an employee becomes familiar with their new job. The demoted employee and the City determine whether they can perform the duties of the job and whether the employee complies with work rules and regulations.

A pre-demotion meeting must be held to demote an employee. If an employee, to avoid disciplinary action, agrees not to appeal a transfer into a lower position, a memo should be prepared for the employee's signature. The memo should explain the reasons for the demotion, the employee's new classification and pay rate (a minimum five (5) percent reduction in pay rate) and state that the employee is not contesting the demotion. All documentation will be signed by both parties and retained in the employee's personnel file. An uncontested demotion will not be held against an employee to promote conciliation and won't be considered disciplinary.

All demotion decisions are made by the employee's Department Head with the concurrence of the City Manager. There shall be no change in an employee's anniversary date whether the demotion is voluntary, disciplinary or administrative.

Employees have access to accrued leave during probation for a demotion. These probationary periods are subject to an extension like any other probationary period.

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3.7 DRIVING RECORDS

Origination August 23, 2018

Revised January 16, 2025

The City's driving standards apply to all positions whose duties necessitate the operation of a motor vehicle/equipment for City business as determined by the job description. Traffic laws of the State of Texas impose requirements on the City (as an employer) to assure that employees are properly licensed and that their driving behavior, both on and off the job, reflects obedience to the laws of the State and the City.

- A. The City of Keene utilizes the DriverAdvisor Monitoring system that allows the City to track changes in employee motor vehicle records. DriverAdvisor provides results on a daily basis. Upon notification of any driving violations, each record shall be reviewed, and points shall be assessed against the employee's driving record. A maximum of six (6) points is allowable on City driving records in a consecutive three-year period immediately preceding the date of the record check. Driving record checks for the Department of Transportation (DOT) covered positions will consider the preceding five (5) years.
- B. Points shall be assessed as follows:
 - 1. At-fault vehicle accident - 3 points
 - 2. Driving without insurance - 3 points
 - 3. Speeding - 2 points
 - 4. Stop sign/red light violation - 2 points
 - 5. Seat belt violation - 2 points
 - 6. Driving with expired licenses - 2 points
 - 7. All other moving violations - 1 point
- C. Duplicate points shall not be assessed for violations arising from an "at-fault" accident and an accompanying citation. For example, an employee runs a stop sign, becomes involved in an "at-fault" accident, and receives a citation; only the points for the accident will be assessed.
- D. All applicants and employees must possess a current, valid Texas driver's license, personal liability auto insurance, a safe driving record, and must be insurable under the City's vehicle insurance program. No applicant will be hired, and no employee will be allowed to operate any vehicle for the City and will be subject to immediate termination, if convicted, or placed on deferred adjudication or disposition for any of the following violations in the immediately preceding three (3) years for non-DOT positions and immediately preceding five (5) years for DOT regulated positions:

1. Driving while intoxicated
 2. Driving under the influence of alcohol or drugs (including prescription drugs)
 3. License suspension, revocation, or denial
 4. Operating a motor vehicle while a driver's license is suspended or revoked
 5. Negligent homicide arising out of the use of a motor vehicle (gross negligence)
 6. Using a motor vehicle for the commission of a felony
 7. Aggravated assault with a motor vehicle
 8. Convicted of manslaughter or criminally negligent homicide involving the operation of a motor vehicle
 9. Operating a motor vehicle without the owner's authority
 10. Reckless driving
 11. Leaving the scene of an accident involving bodily injury or property damage
- E. An employee who drives for the City and who accumulates more than six points in any consecutive three-year period or a five-year period for DOT regulated positions shall be immediately removed from any driving position and be subjected to reassignment or termination.
- F. Any employee who is required to drive as an essential function of his/her job and who receives notice that their license to drive has been suspended or revoked, or an employee who fails to renew an expired license, must report this to his manager or supervisor no later than the beginning of the first workday following receipt of the notice of suspension or revocation, or knowledge of expiration. An employee who properly reports a suspension, revoked or expired driver's license may be reassigned to a non-driving position for the period of the suspension or revocation or until the license is renewed, if such a position exists, or may be terminated at the discretion of their Director and the Director of Human Resources.

Reassignment will require the employee to be fully qualified for the new position and must be in the interest of the City of Keene. If no such position exists, the employee will be subject to termination. An employee who fails to report a suspension or revocation, or fails to renew an expired license, which is later discovered or reported, will be subject to disciplinary action up to and including termination. Any reassignment or disciplinary action needs to be coordinated through Human Resources.

G. Determination of "At-Fault" Accidents

1. Whenever any accident is listed on the DPS report, which was listed on previous DPS reports or which is not an accident occurring while driving for the City, Human Resources shall request a copy of the accident report from DPS.
2. Upon receipt of the accident report, Human Resources will review the report and determine if the employee driver was at-fault. This can be determined by the listing of citations issued by the investigating officer and by the contributing

factors listed in the report.

3. If the accident is an at-fault accident, Human Resources will assess the specified points to the employee's driving record. The employee and the employee's director will be notified of the points assessed.

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3.8 EMPLOYMENT OF RELATIVES (NEPOTISM)

Origination June 28, 2007
Revised January 16, 2025

In order to prevent conflicts of interest, to avoid accusations and perceptions of biased conduct, and to maintain the confidentiality of restricted information, employment of certain related persons by the City or within designated City departments is not allowed.

The provisions of this policy apply to persons from outside the City workforce who are applying for employment or re-employment with the City, as well as those employees applying for other positions within the City.

A. DEFINITIONS

"Consanguinity" denotes a blood relationship where one individual is descended from the other or two individuals share a common ancestor.

Affinity (Marriage Relationship):

First Degree	Second Degree
Spouse	Spouse's siblings (brother/sister)
Son-in-law or daughter-in-law	Spouse's siblings (brother/sister)
Spouse's parents (father/mother)	Spouse's grandparents
Spouse's children (son/daughter)	Spouse's grandchildren

"Affinity" refers to a relationship created by marriage. Two individuals are related by affinity if they are married to each other, or if one individual's spouse is a blood relative of the other individual.

Consanguinity (Blood Relationship):

First Degree	Second Degree	Third Degree
Parents (father/mother)	Siblings (brother/sister)	Aunt or uncle
Children (son/daughter)	Grandparents	Niece or nephew
	Grandchildren	Great-grandparents
		Great-grandchildren

B. PROHIBITIONS

1. Elected Officials

No person who is related within the third degree by blood (parents, children, brothers, sisters, grandparents, grandchildren, great-grandparents, great-grandchildren, aunts, uncles, nieces and nephews) or within the second degree by marriage (spouse and spouse's children, parents, brothers, sisters, grandparents and grandchildren) to the mayor or any member of the City Council may be offered or accept employment with the City.

Elected officials, officers or employees of the City Shall abide by all the applicable State and local nepotism laws, including those rules established in the City Charter.

This prohibition does not apply to any person who has been employed by the City for at least one year prior to the time of the election of the Mayor or City Council member.

2. Council Appointees and Executive Management Directors

No person who is a relative (as defined above) within the third degree of a council appointed employee or an Executive Management Director may be offered or accept employment with the City.

3. Human Resources, Risk Management, Fiscal Services {Including Budget & Purchasing}, Information Technology, Legal and Executive Services Departments

No person who is related within the third degree by blood or within the second degree by marriage to any employee of the Human Resources, Fiscal Services, Information Technology, Legal or Executive Services Departments may be offered or accept employment with the City.

4. Supervisor/ Manager's Relatives

No person who is a relative (as defined above) within the third degree of a current City supervisor/manager may be offered or accept employment with the City which places the relative within the direct chain of command, permits them to supervise, conduct a performance review, or causes them to otherwise serve in a position where one may have significant influence in determining the other's advancement, compensation, or other terms and conditions of employment.

5. Same Department

No person who is a relative (as defined above) within the third degree of a current City employee may be offered or accept employment with the City which places the relative within the same department as the employee without prior written authorization from the City Manager.

6. Condition of Conflict

No person who is a relative (as defined above) may be offered or accept employment where the employment would constitute a condition of conflict.

C. GRANDFATHER CLAUSE

The City is aware that, as of the revision date of this policy, a number of City employees are related, by blood or by marriage, to other City employees. These employees will be "grandfathered" under this policy, meaning they will be permitted to continue their employment with the City as long as their relative relationship, employment status and/or position(s) of the affected employee(s) does not change, and no condition of conflict exists. Any future changes to the relative relationship, the employment status, and/or position(s) will be governed by the requirements of this policy.

D. PROMOTIONS

In the event of a proposed promotion to any of the positions listed above, any employed family member of a person considered for promotion to any of the positions identified above must agree to immediately tender his/her written, conditional resignation before the candidate will be formally considered for the proposed promotion. If the candidate is selected for and chooses to accept the promotion, the conditional resignation becomes final. Normally, once final, any such resignation will not become effective until ninety (90) days after the promotion takes effect.

E. REORGANIZATION

In the event of a reorganization, or any other situation (other than a promotion) giving rise to a relationship prohibited by this section of the policy, the lower ranking employee will be required to immediately resign from his/her employment. If both employees are of an equal rank, one of them

will be required to immediately resign from his/her employment. Normally, any such resignation will not be effective until ninety (90) days after the engagement, reorganization, etc., occurs.

F. OTHER RESTRICTIONS

The following restrictions apply to the employment of any relative, including those defined as family members under this policy:

1. No employee in the relationship will supervise, review or process the work of the other;
2. The employees' relationship must not create a conflict between employees/City interests; and
3. There must be no interdependence or relationship between the jobs of the individuals concerned which could be potentially detrimental to the interests of the City.

G. MARRIAGE OF CURRENT EMPLOYEES

In the event of a marriage between two City employees, a promotion, reorganization, or any other situation giving rise to a relationship prohibited by this policy, one or both of the affected employees must immediately seek a transfer to another available position within the City for which he or she is qualified and that meets the requirements of this policy. If a suitable transfer cannot be made within ninety (90) days of the event giving rise to a relationship prohibited by this policy, one or both of the affected employees will be required to resign from employment.

H. PERIODIC REVIEW

Periodically, the City Manager (or designee) will review the job descriptions and inter-relationship between the affected jobs and determine whether they meet the requirements set out in this policy. If one or more of these requirements are not met, one or both of the affected employees must immediately seek a transfer to another available position within the City for which he or she is qualified and that meets the requirements of this policy. If a suitable transfer cannot be made within ninety (90) days, one or both of the affected employees will be required to resign from employment.

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3.9 REDUCTION IN FORCE

Origination November 1, 2018

Revised January 16, 2025

Reductions in force may be required from time to time resulting from changes in operations, budgetary constraints or similar situations. If a reduction in the workforce is necessary, the City will utilize the procedures outlined in this policy to facilitate the layoff process and to guard against unfair or discriminatory acts. Any reduction in force must be approved in writing by the City Manager.

A reduction in force will be limited to the absolute minimum number of employees.

A. PROCESS FOR REDUCTION IN FORCE

1. The City Manager will meet with Department Heads to establish the level of reduction necessary. Department Heads should not discuss a possible reduction in force or elimination of activities with employees until after the Department Heads have received written approval from the City Manager.
2. The primary focus of the City Manager and the Department Heads in a reduction in force is to maintain the greatest productivity and operational efficiency possible in the department with the remaining personnel.
3. Department Heads, on request of the City Manager, will provide a written recommendation to the Human Resources Administrator and the City Manager regarding which positions will be eliminated. The recommendation will articulate what activities may be impacted by the reduction.
4. The City Manager will articulate, in writing, the number and type of position(s) to be eliminated.

B. SELECTION OF AFFECTED EMPLOYEES

The Human Resources Administrator will contact each affected Department Head and notify them of the City Manager's decision regarding position(s) to be eliminated.

1. The Department Head will identify individual employee(s) within the Department to meet the City Manager's direction. The Department Head will use the following factors to determine which employee(s) will be affected.
2. Employees with performance/productivity issues
3. Employee unique skills, knowledge and abilities
4. Employee seniority
5. Upon selection of affected employees, the Department Head will submit the names of the employees and supporting documentation to the Human Resources Administrator. The names of the affected employees will not be disclosed pending final approval by the City Manager.

6. The Human Resources Administrator will review and forward to the City Manager recommendations regarding selection of affected employee(s) according to the standards provided above as well as applicable laws and regulations.
7. The City Manager will review the list of selected affected employee(s) with the Department Head and also the City Council during an Executive Session of an official Council meeting.
8. The City Manager will make a final, written determination regarding positions to be eliminated and employees to be separated under the Reduction in Force Policy.
9. After final written approval by the City Manager, the Department Head and the Human Resources Administrator will contact each affected employee to explain the necessity for the reduction in force and why the employee's position was selected. Assurances should never be made to employees regarding future employment.
10. The employee will be instructed to contact the Human Resources Department for explanation of benefits and to complete necessary paperwork.
11. The Department Head with assistance from the Human Resources Department will meet with their department employees to explain the process that was utilized and the necessity for the reduction in force.

C. ASSISTANCE

1. Severance benefits in addition to normal termination benefits will be considered by the City of Keene as the budget allows.
2. At the meeting when Human Resources provides the affected employee their benefit information; the Human Resources Department will provide outplacement information.
3. All employment verification/reference inquiries will be directed to and provided by the Human Resources Department for separated employees.
4. The Human Resources Department will assist affected employees who wish to apply for retirement and who meet the eligibility requirements for retirement.

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3.10 PERFORMANCE EVALUATIONS

Origination June 28, 2007

Revised January 16, 2025

The intent of the City of Keene's performance evaluation process is to provide sufficient opportunities for employees to receive fair, accurate, and helpful performance feedback. The feedback received should assist employees in maintaining and improving good job performance and ultimately contribute to providing the best service possible to our citizens and customers. The performance evaluation process serves as a management tool for making decisions regarding career development, succession planning, training, retention, and compensation. All evaluations will be retained in the employee's personnel file.

The performance evaluation process is the ongoing action of setting performance expectations, coaching employees to reach those expectations, providing feedback to employees, and then reviewing and recognizing those performance results.

Feedback discussions occur bi-annually in January and July of each year.

A. TYPES OF EVALUATIONS

January Evaluations

January evaluations will serve as the primary evaluation for each year and will cover performance objectives, development plans, and set goals for the employee for the upcoming year. Employees will be marked as either meets standards or needs improvement.

July Evaluations

July evaluations will be used as a checkpoint to ensure employees are maintaining their performance and meeting any goals that are set during the January evaluation.

Probationary Evaluations

New, non-sworn employees to the City of Keene are considered probationary employees for the first six (6) months of service. Sworn personnel serve a one (1) year probationary period. New employees will receive periodic performance evaluations until they successfully complete their probationary period. At the completion of their probationary period, employees will begin receiving bi-annual performance evaluations.

The probationary period serves as a formal opportunity to determine if a mutual fit exists between the employee and the organization. A decision to continue or end employment may be made at any time, by either the employee or the city, during or after completion of this period.

90 Day Re-Evaluation

Employees receiving an overall performance rating of "Improvement Expected" on their January performance evaluation will generally be placed on a Performance Improvement Plan (PIP) for three (3) months. At the end of the three (3) month period, the employee will receive a formal re-evaluation of their performance.

A performance evaluation is not subject to appeal or grievance unless it involves a protected status as defined by Title VII . However, if an employee disagrees with any portion of the evaluation, he/she may provide a written statement to be attached to the evaluation.

An employee on a leave of absence at the time their formal performance evaluation is done will receive a performance evaluation within two (2) weeks upon their return to work.

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3.11 PERFORMANCE IMPROVEMENT PLAN

Origination November 1, 2018

Revised January 16, 2025

The intent of a Performance Improvement Plan (PIP) is for a supervisor to communicate concerns of unsatisfactory job performance to an employee and to work closely with the employee to develop a plan to improve areas of deficiency through various means (e.g., training, coaching, education, etc.).

The duration of a PIP is generally ninety (90) days. The PIP should describe the deficiencies in performance and give the employee specific actions they must take to improve performance. It should also include a deadline by which the employee must demonstrate improvement. A PIP may be considered disciplinary or may be used as a coaching tool, dependent upon the circumstances. A PIP may accompany a performance evaluation when an employee's overall performance or specific areas of performance are unsatisfactory. A PIP may not be appealed. If the employee's performance is not satisfactory at the conclusion of the PIP, termination of employment generally occurs.

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3.12 LINE OF DUTY DEATH OR SERIOUS BODILY INJURY FOR POLICE OFFICERS AND FIREFIGHTERS

Origination: October 18, 2018
Revised January 16, 2025

The purpose of this policy is to provide direction for the City of Keene, the Police and Fire Department to provide appropriate emotional care for the seriously injured, ill, or deceased employee's family. If the incident is a line-of-duty death of a police officer or firefighter, funeral arrangements are to be decided by the family of the deceased with their wishes taking precedence over those of the City.

A. POLICY

It shall be the responsibility of the Keene Police and Fire Department to provide liaison assistance to the primary family of an employee who dies in the line-of-duty or who are hospitalized for an indefinite period of time or requires repeated and/or intermittent hospitalization because of line-of-duty injury or systemic illness. This assistance shall include, but not be limited to, the clarification and comprehensive study of survivor benefits and emotional support during this traumatic period for the surviving family.

It is the responsibility of the employee's supervisor to notify the appropriate Police or Fire Chief of the incident as soon as possible. Immediately upon notification of the incident, the Chief shall appoint an officer or firefighter in charge, referred to as an employee in charge, to coordinate all departmental functions regarding the incident.

B. DEFINITIONS

1. **Line-of-Duty Death:** Any action, felonious or accidental, which claims the life of a Keene Police Officer or Firefighter who is performing related work while on duty.
2. **Line-of-Duty Injury or Illness:** An injury or systemic illness serious enough that hospitalization or time away from the department is ordered by a physician for an indefinite period.
3. **Survivors:** Primary family members of the injured or deceased Officer or Firefighter, including spouse, children, grandchildren, parents, grandparents, siblings, fiancé, and/or significant other.
4. **Beneficiary:** Those designated by the Officer or Firefighter as recipients of specific death benefits.
5. **Benefits:** Financial payments made to the family to assist with financial stability following the loss of a loved one.
6. **Funeral Payments:** Financial payments made to the surviving families of an officer or firefighter killed in the line-of-duty which are specifically earmarked for funeral expenses.

7. An employee in Charge: A City employee responsible for coordinating all aspects of the events. They coordinate the peer support unit, emergency department liaison, and any other employees involved in the event.
8. Peer Support Unit: A City employee in a supervisory position including the Chaplain can be a member. The Peer Support unit helps assist the family with what they may need or want.
9. Emergency Department Liaison: Assists the family throughout the process and is familiar with all information concerning the event.
10. Public Information Officer: Representative officially designed as department spokesperson.
11. Benefit Coordinator: Human Resources Administrator is to assist the family in the coordination of benefits.

C. PROCEDURES

1. Employee in Charge
 - a. In order to prevent duplication of efforts, maintain order, and ensure that the process works for the benefit of the employee or their family, the employee in charge shall coordinate all departmental function regarding the incident.
 - b. The employee in charge shall make assignments of tasks and responsibilities to departmental personnel, including Peer Support Unit and Honor Guard members. Those persons shall report the status of their task to the employee in charge. Department personnel shall not perform incident related tasks without the approval of the employee in charge unless exigent circumstances exist.
 - c. If the employee in charge does not already possess communications equipment via which assigned personnel can make prompt contact with him or her, they may be provided with the necessary means to facilitate such communications.
 - d. Personnel appointed to the position of employee in charge shall be thoroughly familiar with the concept and procedures of peer support unit, Honor Guard, and other internal and/or external organization involved in the process.
 - e. Personnel assigned to tasks regarding this policy shall be placed on special assignment and not available for routine calls until relieved of such duty. This personnel may be required to obtain an evaluation by an approved mental health professional prior to return to regular duty.
 - f. In the event, the employee has multiple families and/or an adversarial relationship exists between the families, the employee in charge may assign a separate liaison for each family.

2. Death or Life-Threatening Injury Notification

- a. The name of the injured or deceased officer may be released by the Public Information Officer or another person designated by the Chief only after notification of the primary family members.
- b. The notification plan will be formulated using the most recent confidential Line-of-Duty Death or Injury information provided by the employee.
- c. If there is knowledge of a medical condition with a primary survivor, medical personnel will be dispatched to the residence to coincide with the notification along with the notifying personnel.
- d. Notification should always be made by two or more persons, in person and not through text or social media. The Chief, his representative, and/or pre-selected persons of the employee's choice will notify the family if time to assemble these persons exists. Delays in developing the appropriate notification team must be weighed against the importance of the timely notification of the primary family.
 - i. If the above-suggested persons are not readily accessible, notification shall be made by a supervisor on-duty. The opportunity to get the family to the hospital prior to the demise of the employee is significantly more important than who delivers the notification.
 - ii. If the family wishes to go to the hospital, they may be transported via Department vehicle. It is highly recommended the family not drive themselves to the hospital.
 - iii. If the primary survivors are not in close proximity to Keene, the employee in charge shall request personal notification from a public safety agency from their locale. The employee in charge is permitted to assist in making transportation arrangements to Keene but may not assume responsibility for travel expenses on behalf of the City of Keene without authorization from the Chief.
- e. As soon as most public safety families see you, they will know something is wrong.
 - i. Ask to be admitted to the house. Do not make a notification on the doorstep.
 - ii. Gather everyone in the home and ask them to sit down.
 - iii. Inform them slowly and clearly only the actual information you have on the incident.
 - iv. It is important to use the deceased or injured employee's name during the notification.

- f. If the employee has already died, relay that information. Do not give the family a false sense of hope.
 - g. Notifying personnel must be prepared for unexpected responses from survivors to include hysteria and possible verbal or physical attack, anger, fainting, shock, etc.
 - h. Notifying personnel must be reassuring to the survivors. The most acceptable comment to newly bereaved people is something such as “I’m sad this has happened” and “The City has many resources available to you to help you through this.”
 - i. If dignitaries want to give condolences directly to the family, ask them to hold off until the family has had an opportunity to process what has occurred.
3. Assisting the Family at the Hospital
- a. The employee in charge may help to determine appropriate waiting facilities for the family and fellow police officers or firefighters may be provided by the employee in charge.
 - b. An Emergency Department Liaison may be appointed by the employee in charge to act as information liaison for medical personnel to the family of the employee and fellow officers and firefighters. It is recommended that the Emergency Department Liaison be an agency individual who has a rapport with emergency department personnel and practices.
 - c. The duties of the Emergency Department Liaison include but are not limited to the following:
 - i. The Emergency Department Liaison will ensure the family is updated as soon as they arrive at the hospital.
 - ii. The Emergency Department Liaison will ensure that pertinent information on the employee’s condition is relayed on a timely basis. He or she shall also make the family and fellow police officers or firefighters aware of hospital policy about visitation with the injured employee and/or visitation with the body following the demise and explain why the involvement of the Medical Examiner’s Office is necessary.
 - iii. Article 49.25 of the Texas Code of Criminal Procedure defines which cases fall under the jurisdiction of the medical examiner including sudden, unexpected, violent, unnatural, unattended and other deaths affecting the public interest. In such cases, it is the medical examiner’s statutory obligation to conduct an inquest, or investigation, into the reportable death.
 - iv. The Emergency Department Liaison should prepare the family for what they might see and accompany them to the hospital emergency department.
 - v. The Emergency Department Liaison will be responsible for notifying the emergency admitting personnel that all medical bills relating to the care and

treatment of the officer should be forwarded to the City of Keene Human Resources office.

1. This will require the Emergency Department Liaison to have essential information regarding the employee. The employee's residence address and next of kin information should be omitted on the admitting form.
 2. Do not ask a family member to sign as a guarantor of payment for treatment.
 3. Omit requests for any insurance information.
- d. If the injuries to the employee are likely fatal and it is possible for the family to visit their loved one prior to death, they should be afforded the opportunity. There is a definite need to touch and hold their loved one while there is still life and being present when death occurs can be comforting to the family.
 - e. Peer Support Unit members will be present the entire time the family is at the hospital and should arrange whatever assistance the family may need in cooperation with the Emergency Department Liaison.
 - f. The person who made the initial notification should be among those at the hospital.
 - g. Any promises, such as, "We'll promote him/her posthumously." Or "We'll retire his/her badge," shall not be made to the family by any person except the Chief.
 - h. Peer Support Unit members will make arrangements for transportation of the family back to their residence or other desired reasonable destination.
4. Support for the Family during a Wake or Funeral
- a. The following services may be offered to and provided for the family.
 - b. Unless the family requests otherwise, a Peer Support Unit member may act as the liaison for the family. Although the liaison should know the deceased and be aware of the family relationships, the liaison should not be so emotionally involved with the loss that he or she would become ineffective. The duties of the liaison shall include but not limited to the following:
 - i. Ensure the needs of the family come before the wishes of the department.
 - ii. Meet with the family and relate the duties of the liaison or allow the family to designate the person, if appropriate, they wish to perform the tasks.
 - iii. Meet with the family regarding funeral arrangements.

- iv. Since many employees have not prearranged their wishes for the handling of their own funeral, the family will most likely need to decide all aspects of the funeral.
 - v. The department should only make the family aware of what they can offer in the way of assistance if the family decides to have a Line-of-Duty funeral.
 - vi. The Peer Support Unit may be provided with a wireless phone to facilitate an immediate line of communication among all personnel involved.
 - vii. The Peer Support Unit should become familiar with all information concerning the death and the continuing investigation in order to answer family questions.
 - viii. The Peer Support Unit may be constantly available to the family throughout this traumatic process.
 - ix. The liaison will ensure surviving family are afforded recognition and will have proper placement arranged for them during the funeral and funeral procession.
 - x. If the funeral is a Line-of-Duty funeral, the liaison will ensure the family is briefed on the funeral procedure including the 21-gun salute, presenting the flag, playing of taps, etc. The family has the option of excluding any portion of the funeral procedure.
- c. The Public Information Officer may be designated to handle the media throughout this traumatic ordeal. In the event the family should decide to grant an interview, this officer would attend and offer to screen all questions presented to the family to guard against jeopardizing upcoming legal proceedings.
 - d. In the event of a Line-of-Duty death, Peer Support Unit members may ensure the home is prepared for the influx of visitors following the funeral. Food and childcare may be provided through the City of Keene, fellow employees, and their families.
 - e. In the event of a Line-of-Duty death, Peer Support Unit members may offer to remain at the home and screen telephone calls.
 - f. In the event of a Line-of-Duty death, the Peer Support Unit, or another agency designee will provide a list of churches and other venues with seating capacities large enough to accommodate attendance at the funeral.
 - g. In the event of a Line-of-Duty death, department vehicles and drivers may be made available to the family if they desire transportation to and from the funeral home.
 - h. In the event of a Line-of-Duty death, Peer Support Unit members may be responsible for providing the family access to other public safety survivors or

other support groups to include but not limited to Concerns of Police Survivors, Survivors of Homicide Victims, Compassionate Friends, Firefighters Support Foundation, etc.

- i. The Keene Police and/or Fire Department may send Peer Support Unit members or other officers or firefighters on routine residence checks by the employee's or survivors home for as long as is reasonable following the incident. Peer Support Unit members conducting the residence checks will also inquire if any harassing telephone calls are being received. A Peer Support Unit member, officer, or firefighter may be assigned to remain at the residence continually during the time that survivors are attending the funeral and related functions.
5. Providing Information and Assistance Regarding Benefits to the Surviving Family in the Event of a Line-of-Duty Death.
 - a. A Peer Support Unit, Benefits Coordinator or another individual will gather information regarding all department, association, and federal benefits available to the surviving family and ensure the department's full support pursuing these benefits. The benefits coordinator is responsible for filing the appropriate paperwork and following through with the surviving family to ensure benefits are being received.
 - b. The benefits coordinator should visit with the surviving family to discuss benefits within a few days following the funeral. A prepared printout of the benefit payments due to the family, listing named beneficiaries, contacts at various benefit offices, and when they can expect to receive the benefit should be given to the family. This same explanation procedure should be repeated within a month following the funeral since the initial contact is clouded by the emotional numbness of the family during the first benefits meeting. A follow up will be made every six months until the surviving family receives every possible benefit.
 - c. The Benefits Coordinator may visit with the surviving family at their home upon request. The home must be within 75 miles of City Hall and be a reasonable request. If the meeting takes place at the home, the Benefits Coordinator may request a law enforcement officer to accompany them.
 - d. If there are surviving children from a former marriage, the guardian of those children should also receive a printout of benefits to which the child(ren) are entitled.
 - e. The benefits coordinator should pay special attention to the problems with possible revocation of health benefits to the surviving family.
 6. Providing Departmental Support During Criminal Legal Proceedings
 - a. If criminal violations surround the death, the family will be informed of all developments prior to any press release.

- b. If there are not any court proceedings surrounding the circumstances of the employee's death the department will relay that information to the surviving family as soon as it becomes known.

7. Providing Extended and Follow-up Support

- a. Peer Support Unit personnel will encourage and assist the family with obtaining peer support and/or professional counseling services.
- b. It is a paramount importance to help the primary surviving family maintain a relationship with the agency if they desire. To that end, the following suggestions are made.
 - i. Peer Support Unit personnel should schedule follow-up visits with the primary surviving family for at least two years following the line-of-duty death, to include monthly phone calls and greeting cards on special occasions and holidays.
 - ii. Peer Support Unit personnel will ensure primary family members are invited to all memorial services or other agency functions as deemed appropriate if contact is known.
 - iii. Peer Support Unit personnel will provide the primary members with information from organizations such as Concerns of Police Survivors (COPS), Firefighters Support Foundation, and other recognized survivor organizations.

8. Line-of-Duty Deaths in other Texas Agencies

- a. When any member of the City of Keene Police or Fire Department becomes aware of a line-of-death within the state of Texas, they should immediately notify the Office of the Chief. If after normal business hours, including weekends or holidays, the highest ranking on-duty supervisor should be notified.
- b. As soon as possible, after notification of a line-of-duty death, the chief shall cause a notification to be made to all agency personnel. The notification should include an order to lower the department flags to half-staff and or personnel to wear mourning ribbons. Flags may be lowered to half-staff and mourning ribbons worn until after the funeral of the involved officer. Mourning ribbons may be worn on badges or uniforms for a period of 5 days from the time of the burial.
- c. The Chief may order observances as deemed appropriate on a case by case basis in the event of unusual line-of-duty death circumstances occurring within the state of Texas or occurring outside the state.

D. POTENTIAL BENEFITS

The following are potential benefits and/or assistance that may be available to the surviving family of a fallen Keene Police Officer or Firefighter. Some benefits may also be available to an injured officer or firefighter and his or her family. All the following benefits are subject to

change and this is not a guarantee of the benefits.

APPENDIX 1

To Keene Line of Duty Death or Serious Bodily Injury policy

BENEFITS AND ASSISTANCE SUMMARY INDEX

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1. City of Keene Life Insurance

The City of Keene provides basic life and accidental death and dismemberment insurance for every employee. The death benefits are payable to the beneficiaries named on the insurance enrollment documentation and dismemberment is payable to the employee. In addition to the basic coverage, some employees are enrolled in optional coverage insurance.

Contact Information: The City of Keene Human Resource office telephone number 817-641-3336, email hadmin@keenetx.com, fax number 817-556-2060, hadmin@keenetx.com.

2. Worker's Compensation

Worker's Compensation benefits are payable to the beneficiaries of the fallen officer or firefighter or to an injured officer or firefighter in the line-of-duty.

Contact Information: The City of Keene Human Resource office telephone number 817-641-3336, email hadmin@keenetx.com, fax number 817-556-2060, hadmin@keenetx.com.

3. Texas Municipal Retirement System

The Texas Municipal Retirement System may provide payments to the beneficiaries upon the death of a member or retired member of the system. Additionally, the system may pay a disability benefit to a member who incurred a permanent total disability or a permanent partial disability.

Contact Information: The City of Keene Human Resource office telephone number 817-641-3336, email hadmin@keenetx.com, fax number 817-556-2060, www.keenetx.com or Texas Municipal Retirement System (TMRS) telephone number 800-924-8677, email Help@tmrs.com, www.tmrs.com

4. City of Keene

The City of Keene provides payment of the following funds to the survivors of deceased employees:

- a. The unused portion of the employees accrued compensatory time
- b. The unused portion of the employees accrued vacation time

Contact Information: The City of Keene office telephone number 817-641-3336, email hadmin@keenetx.com, fax number 817-556-2060, www.keenetx.com.

5. Social Security

The United States Social Security Administration may provide benefits for members or their beneficiaries in case of death or disability of the member if the employee is a qualified participant.

Contact Information: Social Security telephone number 800-772-1213, www.ssa.gov

6. Public Safety Officers' Benefits Program (PSOB)

The federal statute may provide the following benefits:

- a. A one-time death benefit to the survivors of a public safety officer who is killed in the line-of-duty
- b. Payments to officers who are permanently or totally disabled due to an injury sustained in the line of duty
- c. Education benefits to dependents of public safety officers who are killed or disabled in the line of duty

Contact Information: Public Safety Officers' Benefits Program (PSOB) telephone number 888-744-6513, www.ojp.usdoj.gov.bja, Fax number 202-616-0314

7. Veterans Administration Benefits

The United States Veterans Administration may provide disability or death benefits to officers who are eligible veterans. In addition, the employees' dependents may be eligible for the education benefit. Some of the benefits that may be available to eligible veterans are:

- a. Death Pension
- b. Funeral Expenses
- c. National Service Life Insurance
- d. Servicemen's Group Life Insurance (SGLI) or Veteran's Group Life Insurance (VGLI)
- e. Interment or Burial Plot Allowance to include an American Flag and Headstone and Marker

Contact Information: The United States Department of Veterans Affairs, telephone number 800-827-1000, www.va.gov

8. Survivors of fallen Police Officer Resources

- a. The *Texas Higher Education Coordinating Board* provides for the children and spouse of a fallen police officer to attend any State supported college or university free.

- 512-427-6101 - www.thecb.state.tx.us
- b. The *Texas Police Chiefs Association Foundation* provides funds to individuals through the Officer Death Benefit Program.
 - 512-281-5400 – www.tpcaf.org
- c. The *Chisholm Trail 100 Club* provides financial, advisory, or moral support to Officers or Firefighters injured or killed in the line of duty.
 - 1-866-888-3085 – www.ct100.org
- d. *Concerns of Police Survivors (C.O.P.S.)*, is a national non-profit organization that works with law enforcement agencies, police organizations, mental health professional, and local peer-support organization to provide assistance to surviving families of law enforcement officers killed in the line of duty.
 - 800-274-2611 – www.nationalcops.org
- e. The *Fleetwood Memorial Foundation*, the foundation's purpose is to provide virtually instant, no strings attached grant of \$10,000 to first responders who are injured or killed in the line of duty.
 - 817-877-0702 – www.fleetwoodmemorial.org/middle.html
- f. *Dignity Memorial funeral, cremation, and cemetery*, this program provides dignified and honorable tributes for first responders who fall in the line of duty.
 - 800-344-6489 – www.dignitymemorial.com
- g. *Wilbert Funeral Services, Inc.*, provides complimentary burial vaults and related services for fallen law enforcement officers.
 - 888-978-2378 – www.wilbert.com
- h. *Badge of Honor Memorial Foundation* provides assistance to the survivors and departments of officers who have been killed in the line of duty, they can assist in helping to obtain all the statutory benefits available to the survivors.
 - 214-282-1068 – www.bohmf.org
- i. *Guns and Hoses of North Texas* provides various financial support to the families of first responders who have died in the line-of-duty from the North Texas Area.
 - 972-880-8095 – <http://www.gunsandhosesnorthtx.org/>
- j. *Texas Crime Victims' Compensation Program*, provides benefits to those who died as a result of a violent crime such as while on duty, survivors are eligible to receive up to \$50,000 to help cover medical cost, counseling, loss of wages, childcare, funeral expenses, and other costs.
 - 512-463-2100 – www.oag.state.tx.us
- k. *National Law Enforcement Officers Memorial*, the City of Keene Police Department is responsible for submitting the name of its fallen officer to inclusion in the memorial.
 - 202-737-3400 – www.nleomf.com

- l. *Public Safety Officer's Benefit Programs* A unique effort of the U.S. Department of Justice; local, state, tribal, and federal public safety agencies; and national organizations, the Public Safety Officers' Benefits (PSOB) Programs provide death and education benefits to survivors of fallen law enforcement officers, firefighters, and other first responders, and disability benefits to officers catastrophically injured in the line of duty.
 - o 1-888-744-6513 – www.psob.gov
 - m. *National Rifle Association*, A \$35,000.00 insurance benefit to the widow or survivors of any NRA-member law enforcement officer who is killed in the line of duty. Coverage is automatic for all law enforcement officers who are NRA members.
 - o 1-800-672-3888 – www.nra.org
 - n. *Duty Weapon and Badge*, on the death of a Texas law enforcement officer, the City of Keene shall provide, at no cost, the deceased individual's duty weapon, if any, and badge to the individuals designated beneficiary or to the estate.
 - o. *Burial with Uniform*, if a Keene law enforcement officer dies and is to be buried in the individual's uniform, the City shall provide the uniform at no cost.
 - p. *National Law Enforcement Officers Memorial*, the City of Keene Police Department is responsible for submitting the name of its fallen officer to inclusion in the memorial.
 - o 202-737-3400 – www.nleomf.com
9. Survivors of Firefighter Resources
- a. *Employees Retirement System of Texas* provides a state death benefit for the children, spouse, or parents of a firefighter who died in the performance of duty and from exposure to a risk.
 - o 877-275-4377 – www.ers.state.tx.us
 - b. The *Chisholm Trail 100 Club* provides financial, advisory, or moral support to Officers or Firefighters injured or killed in the line of duty.
 - o 1-866-888-3085 – www.ct100.org
 - c. The *Texas Higher Education Coordinating Board* provides for the children and spouse of a fallen firefighter to attend any State supported college or university free.
 - o 512-427-6101 - www.thecb.state.tx.us
 - d. The *Fleetwood Memorial Foundation*, the foundation's purpose is to provide virtually instant no strings attached grant of \$10,000 to firefighters who are injured or killed in the line of duty.
 - o 817-877-0702 – www.fleetwoodmemorial.org/middle.html
 - e. *Williams-Pyro Firefighters Fund* provides grants to the families based on need.

- 817-872-1500 – www.wpiff.org
 - f. *Kid's Chance* – State Fund Scholarship Program, provides grants to the families of firefighters based on need.
 - 800-859-5995 x 3820 - <http://www.kidschance.org/>
 - g. *Woodmen of the World* provides a \$10,000 fraternal death benefit if a qualified member is killed while performing his or her duties.
 - 800-225-3108 – www.woodmen.org
 - h. *Texas Crime Victims' Compensation Program*, provides benefits to those whose death is the result of a violent crime such as arson, survivors are eligible to receive up to \$50,000 to help cover medical cost, counseling, loss of wages, childcare, funeral expenses, and other cost.
 - 512-463-2100 – www.oag.state.tx.us
 - i. *Public Safety Officer's Benefit Programs* A unique effort of the U.S. Department of Justice; local, state, tribal, and federal public safety agencies; and national organizations, the Public Safety Officers' Benefits (PSOB) Programs provide death and education benefits to survivors of fallen law enforcement officers, firefighters, and other first responders, and disability benefits to officers catastrophically injured in the line of duty.
 - 1-888-744-6513 – www.psob.gov
 - j. *Guns and Hoses of North Texas* provides various financial support to the families of firefighters who have died in the line-of-duty from the North Texas Area.
 - 972-880-8095 - <http://www.gunsandhosesnorthtx.org>
10. Documentation Necessary for Application of Benefits
- a. Marriage license: May be obtained from the court clerk's office in the county where the marriage was performed.
 - b. Certified copy of death certificate: Texas death certificates may be obtained from the Texas Department of State Health Services, www.dshs.texas.gov, 888-963-7111.
 - c. Certified copy of minor child(ren) birth certificate: Texas birth certificates may be obtained from the Texas Department of State Health Services, www.dshs.texas.gov, 888-963-7111.
 - d. W-2 Earnings statements for the current and possible immediate past year: A copy of the previous tax year W-2 statement can be obtained from the City of Keene Payroll office at telephone number 817-645-0912.

City of Keene Personnel Policies and Procedures

Chapter 3: Recruitment and Employment

3.13 PREVENTATIVE IMMUNIZATIONS

Origination November 1, 2018
Revised January 16, 2025

To the extent required by law, any employee of the City who is exposed or subject to exposure, during the course of performing official duties, to certain contagious diseases shall have all expenses paid for by the City or the City's insurance plan for the immunizations, prevention of, or for reasonable medical expenses in treatment of the disease if:

1. The disease is not an "ordinary disease of life" as that term is used by the Texas Workers' Compensation Commission; and
2. The exposure or possible exposure to the disease occurs or may occur during the performance of assigned job tasks.

Any water operator, firefighter, police officer, or other employee who operates an ambulance or responds to emergency medical calls is also entitled to vaccination or preventive immunizations.

The City shall pay for the expense of all preventive immunizations or vaccinations for employees. Should the employee use their medical insurance, the city will reimburse the employee any remuneration in excess of the amounts reimbursed by his or her medical insurance for the immunizations or prevention of the disease.

City of Keene Personnel Policies and Procedures

Chapter 3: Recruitment & Employment

3.14 JOB ABANDONMENT

Origination November 16, 2020

An employee failing to report for duty or remain at work as scheduled without proper notification, authorization, or excuse shall be considered absent without leave, which constitutes abandonment of duties and shall not be in paid status for the time involved.

Employees who fail to report to work or contact their supervisor for two (2) consecutive workdays (or 24 hours for Fire shift employees) shall be considered to have abandoned the job without notice effective at the end of their normal shift on the second day. The supervisor or department director shall notify the Human Resources Department at the expiration of the second workday and initiate the paperwork to terminate the employee. Employees who are separated due to job abandonment are ineligible to receive accrued benefits and are ineligible for rehire.

City of Keene Personnel Policies and Procedures

Chapter 4: Compensation

4.1 HOURS WORKED

Origination June 28, 2007

Revised January 16, 2025

The City's normal workweek begins on Sunday and ends on the following Saturday. The workweek or work cycle may, however, vary from Department to Department. Department directors may establish working schedules to meet their specific needs; provided the standard schedule is for no more than 80 hours per work period for sworn employees of the police department, 106 hours per work period for sworn employees of the fire department, or 40 hours per work period for all other employees. Employees are expected to be at their workstations and ready to work at their scheduled start time.

A. REGULAR WORK HOURS/WORKWEEKS/WORK CYCLES

- **Fire Department** – All non-exempt fire suppression personnel work a 24-hour shift every third day, based on a 14-day, 106-hour work cycle.
- **Police Department** -All Sworn Police Department personnel have a 14-day work cycle in conformance with established Department operating policies, the FLSA, and applicable Texas law.
- **Other Employees** -The regular workday normally begins at 8:00 a.m. and ends at 5:00 p.m., although employees in some departments may have different work hours. Full-time, non-exempt employees normally work 40 hours in a seven-day workweek. Exempt employees are often required to work in excess of 40 hours.

B. ADJUSTMENT TO WORK HOURS

In order to assure the continuity of City services, it may be necessary for Directors, with the City Manager's approval, to establish other operating hours for their Departments. Work hours and work shifts must be arranged to provide continuous service to the public in certain departments, including Police, Fire/EMS, and Public Works. Employees are expected to cooperate when asked to work overtime or a different schedule. Any change to established work schedules must be authorized in writing and in advance by the appropriate Director.

C. TIME MANAGEMENT (NON-EXEMPT EMPLOYEES):

Time missed by non-exempt employees for a valid and approved reason (such as a doctor or dentist appointment) may be made up during the same workweek/cycle, i.e., "Time Managed," if all of the following are met:

1. The appropriate supervisor has given prior authorization to make up the missed time;
2. The time missed is made up in the same workweek (or work cycle);
3. The employee's total hours for that week do not exceed forty (or as applicable for certain Fire and Police shift personnel with different work cycles); and
4. The time is accurately recorded on the employee's time records. Supervisors are encouraged to use Time Management to minimize overtime.

City of Keene Personnel Policies and Procedures

Chapter 4: Compensation

4.2 METHODS OF PAYMENT

Origination August 23, 2018
Revised January 16, 2025

A. METHODS OF PAYMENT

A pay cycle is completed every two (2) weeks with payday the following Thursday. (The payday designation can change at the discretion of the City Manager and/or City Council). If a payday falls on a holiday, paychecks will be issued the last workday prior to the holiday. All pay stubs will be distributed to the email address designated by the employee. Employees should check their paycheck and paycheck stub to assure that the hours pay rate, and deductions are correct. Paychecks will only be released to employees. Exceptions may be made with proper written authorization.

The City requires employees to enroll and elect to have their paychecks deposited into a financial institution(s) of their choice. Regular paystubs will not be issued other than on the days set except as necessary resulting from holidays.

No salary advances or loans against future salary will be made to any employee for any reason.

B. RECOVERY OF INACCURATE PAY OR BENEFITS

It is the employee's responsibility to review their payroll information and deductions for accuracy. If an employee is overpaid, given more leave benefits than they are due, or receives any other benefit or compensation to which they are not entitled, whether due to error for any reason, an employee's misrepresentation, the misapplication of a policy, or an error in processing, the employee is expected to notify his or her Timekeeper and/or the Finance Department. The City will take steps to recover the benefits or compensation. Likewise, any form of payroll deduction that results in an underpayment should be reported, as well.

Employees are expected to repay the City upon notification of an overpayment error. Generally, employees are given the same amount of time to complete repayment to the City as the time during which the error or overpayment was made, unless otherwise provided for by the agreement. For example, if an employee was overpaid for three pay periods, the employee would have three pay periods from the date of notification to complete repayment. Employees will not be allowed to repay the City over multiple pay periods if such payments would cross over into another calendar year.

Attempts will be made to establish an agreed method to recover overpayments. Failure to agree on a method may result in an appropriate action initiated by the City to correct the issue, such

as payroll deductions or reductions in pay rate. If such deductions would reduce the employee's pay below the minimum wage, the department should consult with the Human Resources Department. An employee's failure to cooperate in the recovery process could result in disciplinary action up to and including termination.

City of Keene Personnel Policies and Procedures

Chapter 4: Compensation

4.3 TIMEKEEPING AND TIMESHEETS

Origination August 23, 2018

Revised January 16, 2025

All non-exempt employees shall prepare an accurate record of all hours worked, to be submitted to the Finance department, on the established schedule.

A. NON-EXEMPT EMPLOYEES

A non-exempt employee is required to record his exact hours of work by completing a timesheet for each pay period. The dates worked and the hours worked each day must accurately reflect the actual time worked. An employee who fails to accurately record work time, including time, worked but not authorized by the appropriate supervisor, or who falsifies time records is subject to disciplinary action, up to and including termination. An employee may also be subjected to criminal sanctions.

For payroll purposes, all time will be rounded to the nearest quarter hour utilizing the seven-minute rule. If an employee works at least seven full minutes, but less than eight, the number will be rounded down to the nearest fifteen minutes. More than eight minutes will be rounded up to the nearest quarter hour. An employee must not complete and/or make changes to any other person's time card except his own unless specifically authorized by the appropriate manager and/or by Payroll or Human Resources. The employee must also be notified of the entries or changes made.

Examples of inappropriate practices in recording work time, which are violations of this policy and the Fair Labor Standards Act, include, but are not limited to:

1. Not recording work performed during a meal period;
2. Not recording work performed at home;
3. Arriving "early" and working or staying "late" and working, and not recording the time worked;
4. Not recording overtime;
5. Leaving early on a day in one workweek and reporting early, staying late or working during meal periods as "makeup" in another workweek;
6. Maintaining dual time records, such as one set for pay purposes and another set for actual time worked;
7. Recording leave hours (vacation and sick) as hours worked; and
8. Recording hours worked as leave hours.

The above examples include actions by either the employee and/or the supervisor/manager permitting these actions to occur. "Doctoring" or otherwise falsifying time records clearly violates the FLSA and City policy and will subject the responsible person or persons to appropriate disciplinary action. Beyond all possible legal and policy complications, falsified

time records violate the City's need for equity in its pay and benefit practices among employees in any department.

B. APPROVALS

All time cards must be approved by the appropriate supervisor or a designated supervisor/manager within the employee's chain of command in a timely manner and in accordance with requirements and deadlines established by Payroll.

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4.4 REST AND MEAL PERIODS

Origination June 28, 2007

Revised January 16, 2025

The Fair Labor Standards Act (FLSA) does not require that an employer provide its employees with time off for rest breaks, coffee breaks, meal periods, or for any other such purpose. However, if the employer does provide breaks of this type, there are regulations governing the determination of whether the break time is compensable hours worked. The scheduling of employee lunch periods and rest periods will be determined by the Department Head or their designee to facilitate serving the public and permitting efficient department operations.

A. REST PERIODS

Rest periods are a privilege, not a right, and should not interfere with proper performance of work responsibilities and schedules. If workflow permits and if authorized by their immediate supervisors, employees may take two 15-minute rest periods each workday. Rest periods cannot be used at the beginning or end of the workday to shorten the workday. Employees will be compensated for authorized rest periods.

B. MEAL PERIODS

Lunch periods may be offered for full-time employees. The department director or their designee can determine whether a lunch period will be offered, in addition to scheduling and deciding the duration of lunch periods. Non-sworn employees will not be compensated for lunch periods when they are completely relieved from duty unless authorized by the department director or designee. An exception is made for sworn employees of the fire and police departments, the standard workday does not include approved meal periods. Meal periods for non-sworn employees are time off without pay.

As a general rule, designated lunch periods cannot be used as time worked in order to shorten the workday. However, supervisors may authorize employees to work through all or part of their lunch periods in order to accommodate leaving work earlier than normal. Such permission should be requested and granted in writing. Working through the required meal period without written approval from the employee's supervisor may be grounds for disciplinary action, up to and including termination.

Departments may consult with the Human Resources Department for assistance in administering rest and lunch period policies.

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4.5 OVERTIME/COMPENSATORY TIME

Origination June 28, 2007
Revised January 16, 2025

Federal regulations allow government jurisdictions to compensate non-exempt employees for overtime work with either overtime pay, or compensatory time paid or credited at the rate of one-and-one-half times for all time worked in excess of 40 hours in a workweek. As determined by the department, non-exempt employees may accrue compensatory time in lieu of being paid overtime compensation.

Employees must obtain supervisory approval prior to working overtime hours or earning compensatory time. Employees working unauthorized overtime/compensatory time will be compensated for the time but may face disciplinary action.

Department directors or designees should limit overtime work in their departments to the extent possible. Supervisors can direct employees to flex their schedules within the same workweek that the overtime would occur, in order to avoid accrual of overtime hours. Supervisors are prohibited from changing an employee's workweek in order to avoid overtime liability to the employee.

Opportunities to work overtime should be distributed as evenly as possible among qualified employees.

The employee or the designated employees (timekeepers) in each department must maintain accurate records which reflect an employee's actual hours worked. Employees who electronically enter their own work hours must record all hours worked. Hours must be recorded on paper or electronic time sheets and must be approved by their supervisor in order to be compensated.

A. NON-EXEMPT EMPLOYEES

Non-exempt employees are eligible to receive one-and-one-half (1 ½) hours for each overtime hour worked at their regular hourly rate in overtime pay or compensatory time for hours worked in a work week. The determination of whether to compensate the employee in overtime pay or compensatory time is made at the discretion of the department. Department directors are encouraged to establish written and consistent internal policies regarding when overtime work will be compensated in compensatory time versus when overtime will be paid out.

Non-exempt employees may accrue no more than forty (40) hours of compensatory time. If a non-exempt employee works overtime hours that causes them to exceed the 40-hour compensatory time limit, all hours over forty (40) hours must be paid as overtime at the rate of one-and-one-half times the employee's regular rate of pay.

Leave time used does not count as hours worked for the basis of calculating overtime eligibility. Sick leave, vacation leave, bereavement leave, compensation time off, and injury leave (Workers' Compensation) are considered "hours not worked" and are not considered for

overtime eligibility. Only those hours actually worked (or treated under City policy as worked) in excess of forty (40) hours are compensated at the one-and-one-half overtime rate (either in pay or compensatory time).

Non-exempt employees whose employment with the City is terminated for any reason are paid for all accrued compensatory time.

B. EXEMPT EMPLOYEES

Exempt employees are often expected or required to work in excess of forty hours in a workweek. According to the FLSA, certain categories of employees are exempt from payment of overtime. Exempt employees are not paid overtime compensation other than in the event of a presidentially declared natural disaster.

C. SWORN POLICE

Sworn police employees who are not otherwise exempt under The Fair Labor and Standards Act (FLSA) and all officers below the rank of Chief will be paid overtime in the same manner as regular non-exempt employees.

1. Overtime will be paid to sworn police employees for hours worked in excess of eighty (80) hours in a fourteen (14) day work period.
2. Overtime will be paid at a rate of one-and-one-half (1½) times the employee's regular rate if the overtime is a result of work that was not previously scheduled such as emergency situations, unplanned replacement of unavailable employees or other situations requiring the Police Chief to meet staffing requirements resulting from unique situations where the employee was not scheduled to work. Holidays worked are included in the calculation of overtime.
3. Sworn police employees may accumulate up to forty (40) hours of compensatory time.

D. FIRE SUPPRESSION

Overtime is paid based on a standard twenty-four (24) hours on duty/forty-eight (48) hours off duty schedule, which is permissible by the Department of Labor, Fair Labor Standards Act provisions. Certified fire employees who are not otherwise exempt under FLSA Section 13 (a)(1) will be paid overtime as follows:

1. Sworn employees of the fire department are entitled to overtime pay or compensatory time for all hours worked in excess of two hundred twelve (212) hours in a twenty-eight (28) day work cycle as permitted under the Fair Labor Standards Act. Working of overtime hours must be approved in advance by the appropriate supervisor.
2. When not scheduled to work, overtime will be paid at a rate of one-and-one-half (1½) times the employee's regular rate. Examples include work that was not previously scheduled such as emergency situations, unplanned replacement of unavailable employees or situations requiring the Fire Chief to meet staffing requirements resulting

from unique situations where the employee was not scheduled to work. Holidays are included in the calculation of overtime for fire department personnel.

3. Certified fire employees may accumulate up to fifty-six (56) hours of compensatory time.

E. USE OF COMPENSATORY TIME

Compensatory leave may be taken in increments of not less than one-quarter hour unless the department director establishes a greater minimum increment of no more than one hour. The city may, at its discretion, pay a non-exempt employee at any time for all or part of accumulated compensatory leave or may require that a non-exempt employee take accumulated compensatory leave. The accrual of compensatory leave is governed by the Fair Labor Standards Act.

Compensatory time can only be scheduled when the workload permits and the leave does not interfere with normal department operations and the needs of the City; however, every effort shall be made to accommodate individual requests.

F. PAYMENT

The City may, at any time elect to pay an employee for any or all of an employee's accrued compensatory time. The City may also require employees to take time off in order to reduce their accrued balance of compensatory time.

G. SEPARATION, TRANSFER, PROMOTION

Upon separation from employment, transfer to another department, or promotion to an exempt position, the employee will be paid for unused compensatory time at a rate of not less than the final regular rate received by the employee from the City.

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4.6 CERTIFICATION PAY

Origination June 28, 2007

Revised August 23, 2018

Certification pay is paid as additional compensation for those employees who receive a certification issued by an accredited agency that directly relates to their job. The certification will be one that is needed in order to meet regulatory requirements within the department's operations. The Department Director and the Human Resources Administrator will make any recommendations to add a particular certification to the list of eligible certifications (see below). Certifications will not be paid until approved by the City Manager.

Employees who receive and maintain an approved certification will be eligible for additional certification compensation.

Provided below is a summary of the certification pay currently offered. Certification pay and payment amounts are subject to change with each budget year.

Police	Annually	Monthly
Master TCOLE Peace Officer	\$900.00	\$75.00
Advanced TCOLE Peace Officer	\$600.00	\$50.00
Intermediate TCOLE Peace officer	\$300.00	\$25.00
Fire	Annually	Monthly
Master Firefighter	\$900.00	\$75.00
Advanced Firefighter	\$600.00	\$50.00
Intermediate Firefighter	\$300.00	\$25.00
Water Operations	Annually	Monthly
Class A Water Operator's License	\$900.00	\$75.00
Class B/III Water Operator's License	\$600.00	\$50.00
Class C/II Water Operator's License	\$300.00	\$25.00
Municipal Court	Annually	Monthly
Municipal Court Clerk III	\$900.00	\$75.00
Municipal Court Clerk II	\$600.00	\$50.00
Education	Annually	Monthly
Doctorate Degree	\$1,200.00	\$100.00
Master's Degree	\$900.00	\$75.00
Bachelor's Degree	\$600.00	\$50.00
Associate's Degree	\$300.00	\$25.00

- A. Any employee who is in a position in which a particular certification is required for the position by federal or state law or the City places a certification requirement on the job description as a condition of employment, will not be paid. Prior to pursuing a certification, the employee will confirm that they are eligible for certification pay. The employee is responsible for getting to Human Resources the written verification of the certification. The employee is also responsible for notifying Human Resources of any change of status regarding the certification (e.g. when they are no longer eligible). At no time will certification pay be back paid if the employee fails to turn in certification documentation to the Human Resources Department at time of receipt of such certification.
- B. An employee who receives an eligible certification but is NOT in a position where the certification pertains to their current position, as part of the job description, will NOT be paid for the certification.

The employee will continue to NOT be paid for the certification until such time they begin working in a position where the certification is deemed as pertaining to their current position.

- C. The combination of certifications paid to employees shall not exceed \$150.00 per month.
- D. The City Manager, Department Directors, and those exempt level are not eligible for certification pay.

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4.7 ASSIGNMENT/INTERIM PAY

Origination June 28, 2007

Revised January 16, 2025

An employee may be temporarily assigned to a higher paying position as an interim status position that is temporarily vacant pending the hiring of a replacement, temporarily vacant due to an extended illness or approved leave of absence, or when the City Manager deems the appointment is in the best interest of the City.

The City Manager's consent to appoint an employee in an "interim" OR "acting" capacity will be given upon satisfaction of the following criteria. All five numbered paragraphs listed below will be considered together in making a determination about whether to appoint an employee to serve in an interim or acting capacity:

- A. When a position is vacant or if the incumbent is expected to be absent for at least thirty (30) days, an employee may be assigned to serve in an interim capacity until the position is filled or the incumbent returns to work;
- B. While serving in an interim capacity, the employee will normally be paid an additional 10-20% of their current salary for the period in which they serve in an interim capacity;
- C. Interim assignments with higher pay may be made only when the continuity of an operation requires the designation of an employee in the higher classification and are not intended to be made for casual assignments of supervisory or administrative responsibility. Interim or acting pay shall become effective the first day of the next pay period after the employee qualifies for interim or acting pay;
- D. A Department Head must receive written approval from the City Manager before appointing an employee to an interim position to a higher classification; and
- E. At the conclusion of the interim time period, the affected employee's salary will be returned to the rate of pay received prior to the interim assignment.

When an employee is placed in an interim position, and they are due for a performance evaluation, the merit increase will be calculated using their salary prior to interim status. Once the interim status is completed, the employee will revert to the previous salary with the merit increase.

It will be the supervisor's responsibility to notify the Human Resources Department of the return of the employee to their previous position and rate of pay before the end of the pay period in which the circumstances warrant such a personnel action.

If it is discovered that an employee has remained at the higher rate of pay, the employee will have to make restitution and the supervisor may be disciplined.

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4.8 EMERGENCY CALL BACK/ ON CALL PAY

Origination June 28, 2007
Revised January 16, 2025

Employees designated to be on-call are expected to respond to departmental after-hour service needs as required by procedures established by each department where on-call personnel is utilized.

A. DEPARTMENT PROCEDURES

Employees designated to be on-call are expected to respond to departmental after-hour service needs as required by procedures established by each department. On-call employees are required to carry a communication device at all times or be nearby a phone in order to be reached as needed.

1. During all time after regularly scheduled working hours when an employee has been designated to be on-call, the employee is free to pursue personal activities but may be requested to respond within designated guidelines set by the department.
2. Departments may establish guidelines for varying levels of response to call-back situations depending upon the nature and importance of services to be completed. Each department will establish internal procedures for handling emergency services that could require call-back of all employees necessary to provide the needed service, regardless of on-call status.

B. OFFICIALLY SCHEDULED

An employee will be considered officially scheduled and designated as on-call when approved by his supervisor or designee in accordance with procedures established by the department.

C. FIT FOR DUTY

All employees designated to be on-call are expected to be fit for duty to accomplish services needed within the time frame required.

D. NON-EXEMPT EMPLOYEES COMPENSATION

The City of Keene compensates employees who are designated and/or placed in a rotating on-call status for each week that they are designated as on-call. This policy applies to all employees in positions required to participate in a rotating on-call status.

The supervisor or designee will be responsible for identifying and coordinating the on-call schedule and positions within the respective department.

Eligibility for On-Call Pay

1. The employee must be specifically assigned for on-call status for the 24-hour period.
2. The employee designated as the primary on-call person must be able to respond to the call within (30) minutes of being contacted.

On-Call Payment Amounts

Non-exempt employees who rotate on required on-call status will receive payment in the amount of 3 hours of straight time at their regular rate of pay for being primary and 2 hours of straight time at their regular rate of pay for being designated as secondary. Applicable taxes will be deducted during the normal payroll process.

In addition, non-exempt employees who are called back from home during their on-call status to the workplace will be paid at their regular rate of pay for actual hours worked until overtime requirements are met. When called back in, employees are guaranteed a minimum of two (2) hours pay for each call-back. Time worked immediately after regularly scheduled working hours at the request or approval of the supervisor will not be considered callback and will be paid at the regular rate of pay until overtime requirements are met.

E. EXEMPT EMPLOYEES

Exempt employees are not entitled to extra compensation for on-call pay.

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4.9 SERVICE RECOGNITION PROGRAM

Origination June 28, 2007
Revised January 16, 2025

Revised May 7, 2020

A. Longevity Pay

Purpose & Scope

To recognize employees' years of service and career commitment to the City of Keene. This policy applies to all regular, full-time employees.

Eligibility

All regular, full-time employees who have completed twelve (12) full calendar months of full-time service as of October 1 of each year are eligible to receive longevity pay in November of that year.

Longevity pay is based on the number of years of continuous service with the City of Keene. If a break in service occurs, longevity will accumulate from the new hire date or reinstatement date and will not include prior service.

Longevity will not accrue during periods of unpaid leave, including unpaid FMLA.

Amount

Longevity pay is \$5 for each month of service as of October 1, up to twenty (20) years (maximum of \$1,200).

B. Milestone Awards

The City offers the following to each full-time employee's milestone recognition.

Five Year Award

Five-year service pin

One (1) day of paid leave

Ten Year Award

Ten-year service pin

Two (2) days paid leave

Fifteen-Year Award

Fifteen-year service pin

Acknowledgment by City Manager at Executive team meeting

Three (3) days paid leave

Twenty-Year Award

Twenty-year service pin

Listing on the City website

Four (4) days paid leave

Twenty-Five Year Award

Twenty-five-year service pin

Acknowledgment by Mayor at City Council meeting (Department Director coordinates with City Manager's Office per employee's request)

Listing on the City website

Letter from City Manager

Five (5) days paid leave

Thirty-Year Award

Thirty-year service pin

Acknowledgment by Mayor at City Council meeting (Department Director coordinates with City Manager's Office per employee's request)

Listing on the City website

Letter from City Manager

Thirty-year portrait

Six (6) days paid leave

Implementation

On the first of each month, Human Resources will provide department directors with a list of milestone eligible employees. Department directors are then responsible for coordinating all recognition activities noted above. Thirty-year employees may choose to have a portrait taken that will be hung in City Hall. The employee will receive their portrait when they retire.

A paid leave day will consist of one (1) eight (8) hour shift, excluding Fire and Police shift personnel. A paid leave day for Fire and Police shift personnel will consist of twelve (12) hours of paid leave.

Employees must use all awarded paid leave within one year of his/her anniversary date. The supervisor must approve scheduling. Paid leave will be shown as Administrative Leave with Pay.

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4.10 COST OF LIVING

Origination November 1, 2018

Revised January 16, 2025

A cost of living increase will be considered each year based upon budgetary constraints, which is based on the Consumer Price index, Employment Cost Index, and the Municipal Cost Index. Should a cost-of-living increase be approved, the increase will be paid to all full-time employees who have successfully completed their probationary period.

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4.11 INCLEMENT WEATHER/EMERGENCY CLOSING Origination June 28, 2018 Revised January 16, 2025

In inclement weather or disaster, it may be necessary to limit City services. In these situations, the City Manager will make the determination and issue a declaration. Personnel essential to services that must be carried out during inclement weather or disasters may be required to report to work at these times. Departments are required to identify essential personnel as needed in their department.

A. UNABLE TO REPORT TO WORK WHEN OFFICES ARE OPEN

If the City has not been officially closed, employees who are unable to report to work due to inclement weather must contact their supervisor in accordance with personnel policies and departmental procedures. An employee who fails to report or contact his supervisor may be subject to disciplinary action, up to and including termination.

An employee must use accrued compensatory and vacation leave. If an employee has no paid leave available, the employee may be granted authorized leave without pay. or holiday time. If an employee has no paid leave available, the employee may be granted authorized leave without pay.

B. COMPENSATION FOR INCLEMENT WEATHER ABSENCES

If the City Manager closes a facility due to inclement weather, an employee scheduled to work at the facility will be paid his normal shift pay during the hours the facility is officially closed.

In the event of a delayed opening or early closure designated by the City Manager, full-time non-exempt employees will be paid for the hours scheduled to work that day.

C. EMERGENCY SERVICES

Employees designated by their Department Director to provide emergency services will report to work as provided by their department rules during an official weather/emergency closing of business. An emergency services employee, other than police and fire essential personnel, who work during business hours on an official weather/emergency closing will be paid time and one-half (1½) of his normal pay regardless of hours worked already during the week.

D. COMMUNICATION

Employees are responsible for checking for inclement weather closures on the city's website and Facebook page.

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4.12 FINAL PAY AT TERMINATION OR RETIREMENT

Origination June 28, 2007

Revised January 16, 2025

Final pay for hours worked in a pay period before termination is direct deposited into the employee's primary designated account on the payday after the termination is processed.

Employees who terminate and work less than 50 percent of the month that the separation occurred in do not earn/accrue vacation during that final pay period.

If a pay rate change occurs during the pay period in which the employee terminates, the employee is paid his or her terminal leave pay (including appropriate leave balances) at the pay rate in place on the date of their separation.

Non-exempt employees are paid for accrued compensatory time at termination regardless of the reason for the termination. Exempt employees who are involuntarily terminated or resign in lieu of termination may be paid for accrued vacation time at the discretion of the Department director in exchange for a release of claims. Employees who are terminated before the expiration of their initial probation (including an extension of initial probation) are not paid for unused accrued vacation leave. The payment of any applicable accrued hours will be made via the employee's direct deposit information on file at the time of separation.

The City can collect any money from the employee's final pay that is owed to the City for benefits, overpayments, and/or for any tools or equipment the department (or City) provided that are primarily for the benefit or convenience of the City. Uniforms, keys, vehicles and other City-owned equipment must be returned in good condition to the employee's Supervisor prior to the separation. If a terminating City employee fails to return City-owned equipment or property to the City before their final paycheck is issued, the value of the property or equipment will be deducted from the final pay, with the balance of the final check to be paid after the employee returns the equipment or property to the City.

If the pay for the hours worked on the final paycheck is reduced to below the minimum wage, the Finance Department needs to be consulted to ensure that FLSA regulations are not violated.

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4.13 TUITION REIMBURSEMENT

Origination November 1, 2018

Revised January 16, 2025

The Tuition Reimbursement program addresses the City's commitment to employee growth and development. Reimbursed tuition must be directly related to an employee's current job or to a position with the City that requires the educational preparation. The employee's department reviews and approves tuition reimbursement requests, in consultation with Human Resources. Any exceptions shall be made at the written request of the affected employee to the City Manager. The final decision shall rest with the City Manager.

Tuition reimbursement benefits are available to regular full-time employees who have successfully completed their probationary period. All courses reimbursed under this program must be taken on the employee's own time with primary regard given to work schedule changes. When there is a conflict between classes and the employee's job, the job responsibilities must come first.

Employees must receive approval to participate in the course prior to the first class day in order to be eligible for tuition reimbursement.

A. APPLICATION

Applicants must submit a completed application to the Human Resources Department for review and verification of eligibility. The approval of a course or a degree plan is not a guarantee of a promotion or obtaining a position that requires or uses the training. Information regarding the tuition reimbursement application process and deadlines is available by contacting the Human Resources Department.

B. ELIGIBILITY

The requirements for an employee to apply for tuition reimbursement are:

1. Must be a full-time employee
2. Must have successfully completed their initial probation and any extended probation before the published deadline for tuition reimbursement applications
3. Cannot currently be on disciplinary probation or have received a Performance Improvement Plan (PIP) during the most recent performance evaluation
4. Must have the approval of their supervisor and Human Resources before the deadline designated for tuition reimbursement applications
5. Cannot have any outstanding amounts on previous reimbursement overpayments

C. REIMBURSEMENT

Up to four hundred dollars (\$400.00) will be reimbursed of applicable tuition, books, and fees for credit courses with a passing grade of an A or B in undergraduate or graduate course(s).

Up to three hundred dollars (\$300.00) will be reimbursed of applicable tuition, books, and fees for credit courses with a passing grade of a C in undergraduate or graduate course(s).

No reimbursement will be paid for a grade of a D or F in any course.

Doctorate level degrees (Ph.D.) are covered only if in a scientific field (chemistry, biology, forensics, etc.) and highly related to the employee's current classification with the approval of the City Manager. Undergraduate, graduate, and/or doctorate level degrees in Law (J.D.) and/or religion are not eligible for reimbursement.

Appropriate paperwork, grade report, and receipts must be submitted to Human Resources within thirty (30) days of the grade report to be eligible for reimbursement. Employees must complete a Tuition Repayment Agreement, which will remain in their personnel record.

The City of Keene will reimburse no more than four hundred dollars (\$400.00) total per class, per employee. This amount can be used for tuition, applicable fees such as parking, and required textbooks. Eligible employees will receive reimbursement for no more than nine (9) semester hours (3 classes) per school year, beginning with the fall semester.

Funding for this program is subject to City Council approval and is limited to the fiscal year in which funds are budgeted. The program may be suspended at any point due to City-wide fiscal constraints.

D. INELIGIBLE COURSES/CLASSES

Courses that are not eligible for reimbursement under this program are: (1) Seminars and conferences (2) Seminars, training and review courses that deal with professional certifications or licensing; (3) audited courses or for noncredit, continuing education courses for which there is no grade; and (4) credits obtained by the College Level Examination Program (CLEP).

Individual departments may reimburse employees for classes that are not eligible for reimbursement, such as short seminars, review courses or certifications, dependent on budgetary considerations and consistent with departmental policy and practice.

Fees and expenses other than tuition, required textbooks, parking, and mandatory, course-related fees will not be reimbursed.

Incomplete forms or forms without all required documents attached may not be processed. Forms and requests turned in beyond the published deadline will not be approved, processed or paid.

College programs such as mini-terms/sessions, distance learning or quarters that are not set on a semester basis are eligible for reimbursement if they are job-related or part of a degree program and are taken for credit. The employee must meet the established application deadline for the spring, fall or summer semester that precedes the course.

Courses must be taken at an accredited school, junior college, college, university, technical or trade school. (See Glossary for definition of accredited school.)

E. PAYMENTS

Tuition Reimbursement is paid only once for each approved course per each degree level. Reimbursements are made as soon as practicable after receipt of the required paperwork, including an itemized receipt.

An employee who receives financial assistance for their education from another source must disclose the source and amount on the Tuition Reimbursement Application. The City does not pay for tuition and mandatory fees paid by other sources, such as scholarships, grants, Veterans benefits or other subsidies.

Any employee who receives reimbursements from the City for expenses that were paid by other sources must repay one hundred (100) percent of those funds before becoming eligible for any future reimbursements from the City.

The City's total tuition reimbursement cannot exceed the employee's education expenses.

F. SEPARATION OF EMPLOYMENT

If an employee resigns or is involuntarily terminated before completing a course, the City is not obligated to pay reimbursement. An employee who voluntarily terminates, resigns, or retires within twelve (12) months after receiving tuition reimbursement must repay 100% of the reimbursement.

An employee who voluntarily terminates, resigns, or retires within thirteen (13) months to two (2) years after receiving tuition reimbursement must repay 50% of the reimbursement.

An employee who is involuntarily terminated, or terminated because of a reduction in force, medical disability, or as a result of occupational injuries or illnesses is not required to repay the money received for educational reimbursement and is not subject to the payback provision.

For the purposes of this policy, tuition is defined as the dollar amount paid for course credit(s) including all mandatory fees but excluding supplies, meals and other extracurricular activities.

Additional information may be obtained from Human Resources Department.

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4.14 CAR ALLOWANCE

Origination November 1, 2018

Revised January 16, 2025

Car allowances may be provided to employees in certain designated positions as determined by the City Manager or to council appointees as approved by the City Council. An employee must be in active paid status and have a valid Texas driver's license in order to receive a car allowance.

Car allowances are considered taxable income and shall be reported as such.

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Chapter 5: Leave

5.1 HOLIDAY LEAVE

Origination June 28, 2007

Revised January 16, 2025

Paid holidays are extended to every regular, full-time employee. All other employees are extended the official holiday, without pay. All holidays will be reviewed on an annual basis by the City Manager and City Council. The following holidays will be observed:

- New Year's Day
- Martin Luther King Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day*
- Thanksgiving Day
- Day After Thanksgiving
- Christmas Eve
- Christmas Day

*In compliance with the Texas Government Code Section 142.0013, covered firefighters shall receive a holiday designated as September 11 in lieu of Labor Day.

Employee Type	Annual Accrual
Full-Time Non-Exempt (80 hours)	80 hours
Fire Suppression	120 hours

Shift Police and shift Fire personnel will have the annual holidays loaded into a holiday bank in October each year and may take the holiday at any time during that fiscal year with supervisor approval. Holidays not taken at the end of the year will be forfeited. If an employee in this category leaves during the year and has taken, but not accrued, one or more holidays, it will be deducted from vacation leave accrual. If the vacation leave accrual doesn't cover the taken holiday(s), the amount will be deducted from the employee's final paycheck.

A. PROVISIONS

The following provisions shall apply to holiday use:

1. When a holiday falls on a Saturday, non-essential city offices are to be closed on the preceding Friday. When a holiday falls on a Sunday, non-essential city offices are to be closed on the following Monday.
2. To maintain continuous service to the citizens of Keene, employees may be scheduled to work on a holiday.
3. If an official holiday falls within a regular employee's scheduled vacation, the employee will be granted the holiday and not charged for a day of vacation.

B. NON-EXEMPT FULL-TIME EMPLOYEES (8-HOUR SHIFTS)

Non-exempt regular full-time employees on 8-hour shifts, who are required to work on an

official city-paid holiday will be given an alternate day off to be utilized within thirty (30) days or will be forfeited.

C. FULL TIME SWORN POLICE PERSONNEL

All sworn full-time police personnel who are required to work on an official city-paid holiday will be given an alternate day off to be utilized within the same fiscal year that it occurred or will be forfeited.

Holidays can only be scheduled when the workload permits and the leave does not interfere with normal department operations and the needs of the City; however, every effort shall be made to accommodate individual requests.

D. FULL-TIME FIRE SUPPRESSION PERSONNEL

All sworn full-time fire personnel who are required to work on an official city-paid holiday will be given an alternate day off to be utilized within the same fiscal year that the holiday occurred or will be forfeited.

Holidays can only be scheduled when the workload permits, and the leave does not interfere with normal department operations and the needs of the City; however, every effort shall be made to accommodate individual requests.

E. PART-TIME, TEMPORARY, AND SEASONAL EMPLOYEES

Part-time, temporary, and seasonal employees will be paid their regular rates if required to work on a holiday. No holiday pay is authorized for temporary, seasonal, or labor pool employees who do not work on the holiday.

F. EXEMPT EMPLOYEES

Exempt employees who observe (that is, do not work on) a holiday that falls on a regularly scheduled workday is paid for up to eight hours on the holiday.

G. RELIGIOUS HOLIDAYS

Employees desiring to observe religious, federal, or state holidays not coinciding with official holidays of the City may be granted time off without pay or may be authorized to use accrued vacation or compensatory time with the approval of their supervisor or Department Head.

H. LOSS OF HOLIDAY PAY

An employee will not receive pay for a holiday if the employee is:

1. Terminating employment with the City, and the last day as a paid employee is the workday before a paid holiday;
2. on leave of absence or absent, without pay, the workday before or following the paid holiday; or

3. absent without approved leave on a holiday when the employee is scheduled to work.

I. FAILURE TO SCHEDULE AND USE HOLIDAYS

Holidays do not accumulate or carry over from year to year. Failure to use holidays by the established cut-off date, set forth in this policy, will result in loss of the holiday benefit.

J. PAYMENT UPON SEPARATION

Upon separation, an employee is not eligible for payment of any unused holiday time.

Employees whose last day of work/date of termination is the day before an observed holiday do not receive pay for the holiday. New employees who begin employment on the day after a holiday do not receive pay for the holiday.

Unapproved absences on the day before or after an observed holiday should be handled through the City's disciplinary process if there is a pattern of such absences or there is a reason to believe that the unapproved absence was intentional.

City of Keene Personnel Policies and Procedures

Chapter 5: Leave

5.2 SICK LEAVE

Origination June 28, 2007
Revised January 16, 2025

The intent of sick leave is to prevent loss of income to employees who are absent due to illness or injury that is not job-related. All full-time employees accrue sick leave in accordance with this policy.

A. SICK LEAVE ACCRUAL AND MAXIMUM ACCRUAL

Sick leave is earned in twenty-six (26) separate increments distributed equally over the twenty-six (26) biweekly pay periods each year. Regular full-time employees accrue sick leave at the following rates:

	Days Per Year	Hours Per Month	Maximum Sick Accrual Hours/Days
40-Hour Employees	12	8	480/60
40-Hour Sworn Police	12	8	480/60
24-Hour Certified Fire	6 shifts	12	1080/45 shifts

B. SICK LEAVE ACCRUAL FOR PART-TIME, TEMPORARY, AND SEASONAL EMPLOYEES

Part-Time, temporary, and seasonal employees are not eligible to accrue sick leave or receive sick leave benefits.

C. SICK LEAVE ACCRUAL – PARTIAL PAY PERIOD ACCRUAL

An employee will not accrue sick leave if they work less than one-half ($\frac{1}{2}$) of the pay period. Examples include new hires, separations, administrative leave without pay, or unpaid FMLA. Sick leave will not accrue during periods of unpaid leave, including unpaid FMLA.

D. USE OF SICK LEAVE

The following are acceptable uses of sick leave:

1. Personal illness or physical or mental incapacity;
2. Medical, dental, or optical examinations or treatments;
3. Medical quarantine resulting from exposure to a contagious disease;
4. To care for employee's spouse, child or dependent relative during illness;
5. To participate in EAP assessment and counseling sessions.

After an employee's sick leave has been exhausted accrued leave banks must then be utilized in the following order; compensatory time, vacation leave, and then any other remaining leave that may be available to the employee. When absences due to illness exceeds the amount of accumulated leave, the employee's pay shall be discontinued until the employee returns to work.

Sick leave will not be authorized during leave of absence without pay or a disciplinary suspension. Sick leave is not transferable between employees nor compensated upon separation from the City.

E. SCHEDULING SICK LEAVE

Employees are required to submit a Leave Request Form and shall be charged sick leave time off in fifteen (15) minute intervals. The form must be submitted before the date requested or immediately after the employee returns to work in order to be approved.

To receive paid sick leave, an employee must give notice of absence in the following manner:

- 1. Notice to Supervisor:** Notice must be given to the employee's supervisor within one (1) hour before to within thirty (30) minutes after scheduled starting time, depending upon departmental policy. The supervisor may require the employee to report on each succeeding day of absence.
- 2. Failure to Give Notice:** Failure to give the required notice may result in the employee having an unauthorized absence and subject to disciplinary action, up to and including termination of employment.
- 3. Serious Injury:** If the required notice cannot be given because of an accommodation to a disability, or medical emergency resulting in a serious illness or injury to the employee or the employee's spouse, child, or parent, notice must be given as soon as practicable under the facts and circumstances of the case, normally within two (2) business days of when the need for leave becomes known to the employee.

F. PROOF OF ILLNESS MAY BE REQUIRED

Department Heads and supervisors may require satisfactory proof of illness at any time an employee is away from work and claiming sick leave pay and may also require a statement from the attending physician of the need for the employee to remain at home to attend to a sick spouse, child or dependent relative.

Department Heads and supervisors may decline sick leave pay in the absence of satisfactory proof.

G. SICK LEAVE USE DURING PROBATIONARY PERIOD

Employees earn sick leave during their probationary period but will not be eligible to take the accrued sick hours until the employee has completed three (3) months of service. Employees are not allowed to use sick leave until it is accrued. Use of sick leave after three (3) months of employment, but prior to six (6) months of service must provide a doctor's note for any absences.

H. RETURN TO WORK AFTER SICK LEAVE

The Department Head or supervisor may require an employee to furnish a statement from the attending physician confirming the employee's ability to resume his regular job duties before permitting the employee to return to work.

In addition, the City may require the employee to submit to examinations at the expense of the City to determine the employee's ability to return to work.

I. ABUSE OF SICK LEAVE

Sick leave shall be for permitting an employee to be relieved of duties during actual illness or injury and must not be abused.

Any employee who requests sick leave pay and then performs outside work for compensation within twenty-four (24) hours of the scheduled start of the shift shall be deemed to be in conflict of the intent of this benefit and the employee shall be subject to the loss of the paid sick leave time and subject to appropriate disciplinary action.

The frequent claiming of sick leave benefits will constitute grounds for the assumption that the physical condition of the employee is below the standard necessary for the proper performance of job duties. Evidence of malingering or abuse of this benefit will be considered grounds for disciplinary action, up to and including termination of employment.

J. UNUSED SICK LEAVE

Any unused sick leave accumulated during a calendar year shall be carried over into the next year as long as the total accumulated sick leave does not exceed the maximum accrual.

Accrued sick time will not be paid out at the end of the fiscal year or upon termination of employment.

K. DEEP BANK

Any remaining employees who have accrued time in their Deep Bank will be grandfathered in and allowed to utilize their Deep Bank time once all other leave banks have been depleted. Once the Deep Bank is depleted it will be no longer utilized to carry over sick leave.

City of Keene Personnel Policies and Procedures

Chapter 5: Leave

5.3 VACATION LEAVE

Origination June 28, 2007
Revised January 16, 2025

A. FULL-TIME EMPLOYEES

All regular full-time employees shall be entitled to accrue vacation leave for each complete month of active service with the City. The accrual rate will be based on length of service with the City and number of hours worked per regular workweek. This leave is earned in twenty-six (26) separate increments distributed equally over the twenty-six (26) pay periods each year.

Regular employees and sworn police accrue vacation based on 8-hour days and certified fire accrue vacation based on a 12-hour shift day. Employees being transferred, promoted, or demoted to a different position shall retain their accrued vacation balance. The accrual rate will change to the accrual rate of the new position.

Non-Exempt Employees

Up to 60 months (0-5 years of service)	Days Per Year	Hours Per Month	Maximum Vacation Accrual Hours/Days
40-Hour Employees	10 days	6.67 hours	160 hours/20 days
40-Hour Sworn Police	10 days	6.67 hours	160 hours/20 days
24-Hour Certified Fire	5 shifts	10 hours	240/10 shifts

61-180 months (6-19) years of service)	Days Per Year	Hours Per Month	Maximum Vacation Accrual Hours/Days
40-Hour Employees	15 days	10 hours	240 hours/30 days
40-Hour Sworn Police	15 days	10 hours	240 hours/30 days
24-Hour Certified Fire	7 shifts	14 hours	336/14 shifts

240 months (20+ years of service)	Days Per Year	Hours Per Month	Maximum Vacation Accrual Hours/Days
40-Hour Employees	20 days	13.33 hours	320 hours/40 days
40-Hour Sworn Police	20 days	13.33 hours	320 hours/40 days
24-Hour Certified Fire	10 shifts	20 hours	480/20 shifts

Exempt/Executive Employees

Up to 120 months (1-10 years of service)	Days Per Year	Hours Per Month	Maximum Vacation Accrual Hours/Days
40-Hour Employees	15 days	10 hours	240 hours/30 days
132 + months (11+ years of service)	Days Per Year	Hours Per Month	Maximum Vacation Accrual Hours/Days
40-Hour Employees	20 days	13.33 hours	320 hours/40days

The maximum allowable accrual of vacation leave will be two (2) times the annual accrual. The actual number of accrued vacation hours permitted will depend on the number of vacation hours each employee earns per year.

Failure to use any hours over the allowable annual accrual will result in the loss of accrued vacation leave. This is generally referred to as the “use it or lose it” rule.

B. VACATION ACCRUAL FOR PART-TIME, TEMPORARY, AND SEASONAL EMPLOYEES

Part-Time, temporary, and seasonal employees are not eligible to accrue vacation or receive vacation leave benefits.

C. VACATION ACCRUAL - PARTIAL PAY PERIOD ACCRUAL

An employee will not accrue vacation if they work less than one-half ($\frac{1}{2}$) of the pay period. This would apply to new hires, separations, administrative leave without pay, or unpaid FMLA.

D. VACATION ACCRUAL DURING UNPAID LEAVE OF ABSENCE

Vacation will not accrue during periods of unpaid leave, including unpaid FMLA.

E. SCHEDULING OF VACATION

Vacations must be scheduled in advance with supervisors or Department Heads who shall give due consideration to the needs of the requesting employee. Vacations can only be scheduled when the workload permits and the leave does not interfere with normal department operations and the needs of the City; however, every effort shall be made to accommodate individual requests.

Vacation days off will be limited to ten (10) consecutive days (2-weeks). All employees must give at least ninety (90) days' notice and must obtain written approval from their supervisor or Department Head. If the employee takes ten (10) consecutive days of vacation, said employee cannot take another five (5) or ten (10) day vacation for ninety (90) days after vacation has been completed. (exception: In an emergency situation or when used during FMLA). Fire suppression employees shall take no more than five (5) shifts worth of vacation time and may not take another five (5) shifts worth of vacation for ninety (90) days after vacation has been completed.

Employees are required to submit a Leave Request Form to the Finance Department and the leave must be approved by the supervisor or Department Head before the time can be taken off. Employees shall be charged vacation time off in four (4) hour increments unless an employee is short hours for a 40-hour work week. The employee can then request time be taken from their vacation hours in one (1) hour increments, but not less, in order to fulfill that 40-hour week. Vacation pay will not be authorized during a leave of absence without pay or a disciplinary suspension.

The operational needs of the department may require supervisors to request that employees explain the circumstances of their requested leave, so the supervisor can decide whether to

approve the leave request. If requested, failure to provide information or documents concerning the requested leave could result in the denial of the use of leave. Supervisors may rescind previously approved vacation leave because of work issues with coverage of shifts. The supervisor must consider the consequences to the employee of which the supervisor is aware (prepaid travel expenses, family issues, employee morale) compared to the operational needs of the department in deciding whether to deny or rescind requested leave.

Employees must have an adequate vacation leave balance available to use at the time of their requested time off. Employees cannot “borrow” from future leave accruals. When an employee is using vacation leave, all available leaves are accrued at the same rate as if the employee was at work.

At no time will vacation be advanced to employees.

F. VACATION DURING PROBATIONARY PERIOD

Vacation leave will not be authorized during the first six (6) months of employment for any employee. All employees, including Police and Fire under a 12-month probationary period, are eligible to take a vacation after six (6) months of employment. Exceptions to this policy must be approved in writing by the City Manager.

G. VACATION DURING EXTENDED PROBATIONARY PERIOD

Employees who are on extended initial probation may not use accrued vacation. Exceptions to this policy must be approved in advance by the City Manager.

H. HOLIDAYS DURING VACATION

Official City holidays occurring during an employee's vacation shall not be charged to vacation leave.

I. ILLNESS DURING VACATION

Employees who become hospitalized or incapacitated due to injury or illness during the period of their vacation leave may request that their vacation be temporarily terminated, and their time be charged to sick leave. Department Heads and supervisors may require satisfactory proof of illness.

J. VACATION PAYOUT UPON SEPARATION

Upon separation from City service, a full-time regular employee will be paid for no more than two hundred forty (240) hours of unused vacation leave. Payment shall be made for up to the allowable amount payable of unused vacation leave upon separation in good standing, retirement, or death of the employee, provided that the employee has completed his/her initial or extended probationary period with the City and has not been discharged as a result of criminal or civil misconduct involving City property, personnel, or official position. No payment for unused vacation leave shall be made except upon separation, retirement, or death of an employee.

Terminating employees must leave in good standing, having given a two-week notice, in order to receive payment for any unused vacation time for which they may be eligible. Those that are involuntarily terminated will not be paid out any of their remaining vacation leave.

K. REHIRE

Individuals desiring re-employment in good standing (voluntary separation having given a two weeks' notice and are deemed admissible for rehire) may be rehired if a vacant position is available. If the individual decides to resign again after obtaining eligibility to receive vacation leave, the total amount of vacation payout regardless of the number of separations with the City shall not exceed two hundred forty (240) hours.

City of Keene Personnel Policies and Procedures

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5.4 MILITARY LEAVE

Origination June 28, 2007

Revised January 16, 2025

Effective October 1, 2024

The City of Keene complies with all state and national laws relating to employees in reserve or active military service and does not discriminate against employees who serve in the military. The City strongly supports its employees who serve in Texas National Guard, Texas State Guard, or reserves of the United States of Armed Forces and recognizes that the skills, leadership, discipline, and teamwork experience acquired during military service can enhance their service to the City and its citizens. Accordingly, the City provides a number of military leave benefits, including paid leave.

A. ELIGIBILITY

This policy covers regular full-time and part-time employees who serve in the uniformed services in a voluntary or involuntary basis, including active duty, active duty for training, initial active duty for training, inactive duty training, and full-time National Guard duty. However, temporary, seasonal, and other employees who have brief or non-recurrent positions with the City and who have no reasonable expectation that their City employment will continue indefinitely or for a significant period of time are generally not eligible for paid military leave beyond the fifteen (15) work days in any one fiscal year of annual paid military leave, reemployment rights, or any other military leave benefits under this policy. Temporary employees will be given authorized leave without pay for this purpose.

B. NOTICE TO THE CITY

Employees who will miss work due to military service must provide Human Resources and their supervisor with as much advance notice as possible. Absent unusual circumstances such notice must be given to the City no later than twenty-four (24) hours after the employee receives the military orders. To be eligible for paid military leave, employees must submit their written military orders setting forth the purpose of the leave and, if known, its duration.

C. PAID LEAVE

Most employees are eligible for paid military leave, as follows:

- i. **Annual Paid Military Leave - Full Pay for Up to 15 workdays.** All eligible employees will be paid for military absences of up to fifteen (15) workdays per fiscal year (October 1 through September 30). This paid leave may be used for Texas National Guard, Texas State Guard or U.S. armed forces reserves training or duty ordered or approved by proper military authority. The fifteen (15) paid leave workdays may be consecutive or intermittent throughout the fiscal year.
- ii. **Supplemental Paid Military Leave - Partial Pay for Up to one hundred eighty (180) Days.** If a regular full-time employee's authorized military duty extends beyond the

fifteen (15) work days of annual paid military leave in a fiscal year because of war or a national or state emergency, upon written request by the employee, the City may, at the City Manager's discretion, pay the employee the difference between the employee's current regular City base pay and his/her military pay, for up to a maximum of one hundred eighty (180) calendar days. This additional compensation will be limited to employees who: have successfully completed their initial new hire probationary period; are in good standing as determined by the City; are not on administrative leave pending disciplinary action; and who have timely submitted satisfactory military pay verification to Human Resources. This partial pay benefit will normally be authorized only once during as employee's tenure with the City.

- iii. **Employee's Own Paid Leave Accruals.** Employees who are not eligible for paid military leave or who have exhausted all available paid military leave may, at their option, use their vacation, compensatory, and holiday balances, if any, to cover their absence from work.

D. UNPAID LEAVE

Employees are granted all military leave to which they are legally entitled. After an employee has exhausted all available paid military leave (including any paid leave accruals the employee chooses to use to cover a military absence), the employee will be placed on leave without pay for up to 5 years (or longer under certain conditions).

E. OTHER BENEFITS

The City will continue to provide employees on paid military leave with most City benefits:

- i. **Group Insurance.** While on paid military leave (or any unpaid military leave of 30 or fewer days), the City will continue to pay its portion of the employee's monthly premium for group health insurance along with any City-provided basic life insurance, if any. When military leave is unpaid, employees may elect to continue their group health coverage under COBRA for up to twenty-four (24) months following separation of employment or the expiration of reemployment rights, whichever event occurs first, for themselves and their eligible dependents. (Employees must pay 102% of the applicable premium to cover the cost of elective continuation coverage under the City's group health plan.) Upon return to employment following military service, the City will provide group health insurance coverage immediately, even if a waiting period is normally required for new or returning employees. In addition, returning employees will not be subjected to exclusions from group health coverage unless the exclusions apply to injuries or conditions arising out of military service covered by the military's health plan.
- ii. **Accrual of Paid Time Off & Other Benefits.** While on paid military leave employees continue to accrue vacation, sick leave and other benefits provided to other similarly situated employees on paid leave. While on unpaid military leave, employees are generally ineligible for most City-provided benefits. For example, benefit accruals, such as vacation and sick leave, do not accrue while an employee is on unpaid leave, including unpaid military leave. Benefit accruals will resume when the employee returns to active employment. Employees returning to work following military leave are treated as though

they were continuously employed for purposes of determining benefits based on length of service, such as vacation accrual and longevity pay.

- iii. **TMRS.** Typically, an employee's active duty military service is counted as covered service for purposes of eligibility, vesting, and benefit accrual. To qualify for service credit, employees must: return to work for the City within ninety (90) days after discharge; receive an honorable discharge; and timely complete the necessary application. In order to receive monetary credit, an employee has the lesser of 5 years or 3 times the period of military service to make up missed contributions. If employees make up their missed contributions, the City will make up any matching contributions. This is only a summary of provisions governing TMRS eligibility, benefits, and contributions. Please contact Human Resources or TMRS for more information.

F. RETURN TO WORK FOLLOWING LEAVE

- i. **Reemployment Rights.** Employees returning from military service will normally be re-employed in their previous or a similar position. Federal law requires that employees returning from military leave be rehired in the position they would have had if they had been continuously employed. Since most City jobs and promotions are not awarded based on seniority, it is impossible to know what job employees might have had if they had been continuously employed. This means most employees returning from military leave will typically be restored to the job they had at the time they left for leave. The City will make reasonable efforts to enable returning employees to refresh or upgrade their job skills.
- ii. **Deadline to Notify HR of Intent to Return to Work.** Deadlines for employees to return to work and/or notify Human Resources of their intent to return to work depend upon how long their military service lasted:
 - a. If less than thirty-one (31) days, employees have one business day following their return home after completion of service to report for their next scheduled work period.
 - b. If between thirty-one (31) days and one hundred eighty (180) days, employees have fourteen (14) days following their release from service to apply for reemployment.
 - c. If more than one hundred eighty (180) days, employees have ninety (90) days following their release from service to apply for reemployment.

These deadlines may be extended for two (2) years or more for employees who suffer a service-related illness/injury that prevents them from applying for reemployment or when circumstances beyond their control make reporting within the time limits impossible or unreasonable. While employees will be granted the time periods set out above to report back to work/apply for reemployment, the City's supplemental paid military leave benefits will only be paid for time periods of actual military service.

- iii. **Required Documentation.** Employees returning from military leave must provide Human Resources with documentation as to the length and character of their military service. Also, evidence of discharge or release under honorable conditions is required if leave exceeded thirty-one (31) calendar days.

- iv. **Reemployment Entitlements.** Employees who serve in the military more than six (6) months will not be discharged without cause during the one (1) year period after reemployment. Employees who serve between one (1) and six (6) months will not be discharged without cause for six (6) months following reemployment. Employees who serve thirty (30) days or less are given no protection under federal law from discharge without cause.
- v. **Changed Circumstances.** If the City's circumstances have changed to such an extent that it would be impossible or unreasonable to reemploy an employee, the City has no legal obligation to reemploy that employee following their return from military leave. For example, a reduction-in-force that eliminates the position held by an employee returning from leave excuses the City from its obligation to reemploy the employee. In addition, the City is not required to make efforts to assist returning employees in becoming qualified for reemployment or to make accommodations for employees who suffered service-related disabilities when such efforts or accommodations would impose an undue hardship on the City.
- vi. **Time Limits.** There is a five (5) year limit (with some exceptions) on the cumulative length of time a person may serve in the military and remain eligible for reemployment with the City.

G. COMPLIANCE WITH USERRA

If any part of this policy conflicts with the Uniformed Services Employment and Reemployment Act (USERRA) or other applicable law, then this policy will be modified to ensure it follows the law.

City of Keene Personnel Policies and Procedures

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5.5 BEREAVEMENT LEAVE

Origination November 1, 2018

Revised January 16, 2025

The City provides employees hired in regular full-time positions with paid bereavement leave. Other employees may be granted unpaid time off if approved by their Director. The intended purpose is to allow an employee time off to attend to the immediate needs resulting from a death of their family or their spouse's family.

A. ELIGIBILITY AND DOCUMENTATION

Directors may authorize up to five (5) days of bereavement leave to attend the funeral and make necessary arrangements due to the death of their current spouse, child, parent, former guardian, sibling, step-parent or child, step-brother or sister, grandparent, or grandchild. To be eligible for bereavement leave, employee must generally attend funeral of the deceased.

Employees are allowed three (3) days off from regular scheduled duty with regular pay in the event of death of the employees' brother-in-law, sister-in-law, son-in-law, daughter-in-law, aunt, uncle, or first cousin. To be eligible for bereavement leave, employee must generally attend funeral of the deceased relative.

Employees are allowed up to four (4) hours of bereavement leave to attend the funeral of a fellow regular employee or retiree of the City, provided such absence from duty will not interfere with normal operations of the City.

The City may require proof of death, funeral, and/or family relationship in support of bereavement leave.

B. BEREAVEMENT LEAVE APPROVAL AND PAY

Employees who wish to take bereavement leave must notify their Director immediately. Authorization is not automatic. Employees must make sure they have the necessary authorization before taking leave. All bereavement leave time taken must be recorded in the City's payroll system.

C. ADDITIONAL LEAVE

If additional time off is requested and approved or if time off is needed for a death not covered by this policy, employees may use accrued compensatory and vacation leave. If no compensatory or vacation time is available, the Director may approve use of leave without pay or sick leave.

City of Keene Personnel Policies and Procedures

Chapter 5: Leave

5.6 JURY DUTY/COURT LEAVE

Origination June 28, 2007
Revised January 16, 2025

The City encourages employees to fulfill their civic responsibilities by serving on jury duty when required. All employees called to serve on jury duty will be given the necessary time off. Employees hired to fill regular full-time positions will be paid their regular earnings for time spent serving on a jury. For all other employees, the time off from work will be unpaid. For exempt employees, this policy will be administered in accordance with applicable wage and hour laws.

A. DOCUMENTATION

Employees must show their jury duty summons to their supervisor as soon as possible so that arrangements can be made to accommodate their absence. Employees must provide their supervisor with a copy of the jury duty summons and keep the supervisor informed of the jury duty status. Employees must also submit a Release From Duty Form to be eligible for full pay. It is expected that employees will work their normal working hours during any time that they are not required to serve as jurors.

B. COMPENSATION

All fees paid, and expenses reimbursed by the court may be retained by the employee, provided that the city did not furnish travel, meals, lodging or miscellaneous expenses and that the employee is not appearing as a witness on behalf of the city or is appearing as a consequence of his or her official city duties. If the city furnished travel, meals, lodging or miscellaneous expenses, the employee shall submit any fees paid or expenses reimbursed by the court to the city.

Jury duty plus other hours worked in a work week shall never exceed forty (40) hours. When an employee has worked more than forty (40) hours in a work week, including jury duty hours, the time-coded as jury duty must be reduced by the number of hours over forty (40) worked in that work week, even if that reduction eliminates all of the jury duty hours.

Accordingly, regular full-time employees will be paid their normal earnings for time spent serving on a jury. Jury duty pay is paid at the employee's base pay rate at the time of jury duty and does not include overtime or any special forms of compensation such as incentives or shift differentials. Paid time off for jury duty is not counted as hours worked for purposes of determining overtime.

Employees subpoenaed in litigation directly related to their positions as city employees shall be excused from duty and time shall be considered hours worked.

C. COURT APPEARANCES OTHER THAN JURY DUTY

Employees who are required by court order to appear as a witness for City work-related testimony will be granted time off with pay upon presentation of the notice to appear or other appropriate

court documentation to the employee's supervisor.

City of Keene Personnel Policies and Procedures

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5.7 VOTING

Origination June 28, 2007

Revised January 16, 2025

Because of early voting opportunities afforded citizens, employees should not need time off to vote; however, supervisors may approve time off in unusual circumstances. Under state law, if the polls are open for two (2) consecutive hours outside of an employee's working hours, an employer is not required to release the employee from work to vote. If the polls are not open for that period of time, employees are allowed to leave work to vote. Their time off is without pay or they may use appropriate accrued vacation leave time or compensatory time.

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5.8 MODIFIED DUTY

Origination June 28, 2007
Revised January 16, 2025

The City may make modified/light duty assignments available to employees with an illness, injury, or medical condition who are unable to perform their regular job duties. The decision to offer an employee a light duty assignment is made at the City's sole discretion. A light duty assignment may be in the employee's own or another department in the City. In making light duty assignments, the City will normally give priority to employees whose injury or illness is work-related.

Factors considered by the City in making its decision include, but are not limited to:

- The nature of the employee's illness, injury, or medical condition;
- The medical release provided in support of light duty and restrictions, if any;
- The risk that a light duty assignment may result in aggravation of the employee's condition;
- The type of light duty work available;
- The length of time necessary for the light duty assignment;
- The length of the employee's employment with the City;
- The employee's performance and disciplinary history; and
- Whether the condition occurred on or off duty.

A. RESTRICTIONS AND RELEASE FROM LIGHT DUTY

Employees who are released for and given a light duty assignment may not perform work duties in violation of their medical release. Violation of the terms/restrictions of the medical release by the employee while on light duty assignment will subject the employee to possible disciplinary action and loss of the light duty assignment.

Light duty will not extend beyond twelve (12) work weeks from the date of release to light duty by the employee's treating physician. Employees still unable to return to regular duty after that time must re-qualify for limited duty through evaluation by their treating physician and a recommendation from the Department Head and Director of Human Resources to the City Manager. Only the City Manager may approve an extension of a light duty assignment.

An employee who is released for and offered light duty by the City while on Workers' Compensation but who elects not to accept such an assignment, will be ineligible to use any accrued sick leave benefits and salary continuation benefits under the City's Workers' Compensation Policy, but may still be entitled to unpaid leave under the City's FMLA policy.

An employee who is released for and offered light duty by the City for any other illness/injury but who elects not to accept such an assignment, will be ineligible to use any accrued sick leave benefits, but may still be entitled to unpaid leave under the City's FMLA policy. The only

exception would be if no light duty assignment could be found or if approved by the City Manager.

During a light duty assignment, employees will typically work an 8-hour workday, Monday through Friday. This means that the 24-hour shift employees, as well as other employees who work a non-traditional schedule, will usually be temporarily reassigned to an 8-hour workday, Monday through Friday, for the duration of their light duty assignment.

All light duty requests and assignments will be reviewed by and coordinated through the Risk Manager. The Risk Manager will work with the employee's department in making its decision. Before returning to regular job duties following a light duty assignment, the employee must coordinate their return through the Risk Manager.

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5.9 ADMINISTRATIVE LEAVE WITH AND WITHOUT PAY

Origination June 28, 2007
Revised January 16, 2025

The City Manager may grant up to four (4) weeks of Administrative leave (with or without pay) when such leave is in the best interest of the City of Keene. Examples (not an exhaustive list) of use of such leave would be to allow senior management time to investigate a matter of employee conduct or to allow an employee time to resolve a matter of significant personal business.

A Director who wishes to request administrative leave with or without pay should make a written request to the City Manager's office stipulating the amount of leave requested and the reasons for the request.

It is the responsibility of the Director and City Manager's office to advise Human Resources when administrative leave has been granted and the related circumstance. The Human Resources Administrator will assure related documentation is made and the Finance Director is notified, if necessary.

City of Keene Personnel Policies and Procedures

Chapter 5: Leave

5.10 VOLUNTARY LEAVE POOL

Origination August 23, 2018
Revised January 16, 2025

The Voluntary Leave Pool program provides for the continuation of income for those employees who are members of the program, have exhausted all of their accrued leave, and need to be off an extended period due to a major personal medical emergency or to care for an immediate family member who has had a major medical emergency.

This program is established by employees for the benefit of other employees. Assets of the program (donated leave hours) belong specifically to the members (who donated) and not to any other organization, group or entity.

A. ELIGIBILITY FOR ENROLLMENT

Employees who are eligible to participate include any full-time employee who is on the payroll of the City and has completed the initial probationary period.

A newly hired employee may become a member of the Voluntary Leave Pool Program within the first thirty (30) days of their employment, but the employee cannot access the Voluntary Leave Pool until completion of their initial probationary period. Employees who enroll during open enrollment cannot access the Voluntary Leave Pool until May 1st of the benefits year for which they are enrolling. An employee who fails to become a member during an open enrollment period may become a member during the next open enrollment period.

B. ACCESSING VOLUNTARY LEAVE POOL HOURS

Members may be eligible to draw from the Voluntary Leave Pool after exhausting all their accrued leave balances including compensatory time. If approved, members may draw a maximum of two hundred forty (240) hours that can be used in any 12-month period. In no case can an employee draw more than two hundred forty (240) hours from the Voluntary Leave Pool for any single occurrence.

Access to the program is not guaranteed by membership; rather, access is based on the need of the member and determined by the Voluntary Leave Pool Committee, designated by the Human Resources Director. No one is guaranteed two hundred forty (240) hours; rather, the Committee will review each application on an individual basis.

The Voluntary Leave Pool Committee acts as stewards of the Voluntary Leave Pool whose sole intent is to authorize access only to employees who have a proven medical need (self or family) and who (also) have a history of prudent use of leave time. To that end, each committee member shall have access to the official leave records and may interview the current supervisor and (any) prior supervisor(s) in order to determine prudent use of leave time by the member. Members of the Voluntary Leave Pool Committee sign confidentiality agreements to affirm their commitment to protecting the privacy of all medical information received through the administration of the program.

The Voluntary Leave Pool Committee approves or disapproves the request within ten (10) business days. The member has five (5) business days to respond to any request for information. If disapproved, the Voluntary Leave Pool Committee will notify the requestor of their decision by memo. A disapproval decision by the Voluntary Leave Pool Committee is final.

Members of the Voluntary Leave Pool who are off without pay because of a disciplinary action or who are on approved leave of absence without pay are not eligible to access the Leave Pool. Members off work because of an on-the-job injury (Workers' Compensation) do not have access to the Voluntary Leave Pool. Routine medical care for an employee is not covered by this program.

Employees off work cannot accrue leave benefits (short-term sick/family leave, major medical, vacation, sick, family leave) while using Voluntary Leave Pool hours.

Members drawing leave from the Voluntary Leave Pool may not engage in secondary employment work during the time covered by the leave drawn from the Voluntary Leave Pool. Use of Voluntary Leave Pool hours on an intermittent basis may be granted only if the Voluntary Leave Pool Committee approves intermittent use. The committee may also recommend or approve fewer hours than requested by the member.

An employee is eligible to receive donated vacation leave if:

1. The employee or employee's immediate family member has a major illness or injury which requires the employee to be off work;
2. The employee has 40 or less hours of accrued leave (Sick, Vacation, Holiday, Comp Time);
3. (Consideration should be given to employee's record of absenteeism, discipline, work performance, tenure, and other relevant considerations); and
4. The employee is not on initial, extended or disciplinary probation.

A major illness or injury includes any medical condition that qualifies under the short-term sick/family leave, family illness leave, and major medical sick leave policy. Appropriate medical certification must be provided for employees or equivalent documentation for immediate family members.

C. DONATIONS

Each member will be required to donate an additional four hours when the Voluntary Leave Pool is depleted. Human Resources Department records will be used to monitor leave donation and usage. All donations will be based upon the donor's hourly rate. Therefore, any usage of the Voluntary Leave Pool will be used based upon the recipient's hourly rate as well. Donations will not be hour for hour. Participating employees will be notified of the need for the additional contribution and must authorize the transfer of additional leave hours to continue membership in the program. Participating employees who opt not to transfer the additional leave hours will be withdrawn from the Voluntary Leave Pool.

The City Manager may terminate the program if he or she determines that it is not in the best interest of the City of Keene. If the Voluntary Leave Pool is terminated, for that reason, the remaining leave in the bank will be used until depleted. If the Voluntary Leave Bank is determined to be operated in violation of any laws, the program will be terminated, and all hours in the leave bank will be forfeited.

City of Keene Personnel Policies and Procedures

Chapter 5: Leave

5.11 PUBLIC SAFETY QUARANTINE LEAVE

Origination July 22, 2021

Revised January 16, 2025

The purpose of this policy is to provide guidance in accordance with Chapter 180.008 of the Local Government Code regarding paid quarantine leave for fire fighters, peace officers, detention officers, and emergency medical technicians employed by the City of Keene who are ordered to quarantine or isolate due to a possible or known exposure to a communicable disease while on duty. The City of Keene recognizes that employee health and safety are important. The City supports establishing a workplace that is comfortable, healthy, safe, and supportive.

A. DEFINITIONS

"Detention officer" means an individual appointed or employed by the City as a jailer or other individual responsible for the care and custody of individuals incarcerated in the municipal jail.

"Emergency medical technician" means an individual who is employed by the City and certified as an emergency medical technician under Chapter 773, Health and Safety Code.

"Fire fighter" means a paid employee of the City's fire department who:

- (A) holds a position that requires substantial knowledge of fire fighting;
- (B) has met the requirements for certification by the Texas Commission on Fire Protection under Chapter 419, Government Code; and
- (C) performs at least one of the following functions: (i) fire suppression; (ii) fire prevention; (iii) fire training; (iv) fire safety education; (v) fire maintenance; (vi) fire communications; (vii) fire medical emergency technology; (viii) fire photography; (ix) fire administration; or (x) fire arson investigation.

"Health authority" has the meaning assigned by Section 121.021, Health and Safety Code.

"Paid quarantine leave" means: (1) all employment benefits and compensation, including leave accrual, pension benefits, and health benefit plan benefits provided by the City; and (2) if applicable, reimbursement for reasonable costs related to the quarantine, including lodging, medical, and transportation costs.

"Peace officer" means police officers described by Article 2.12, Code of Criminal Procedure, who are employed by the City.

B. POLICY

A City of Keene fire fighter, peace officer, detention officer, or emergency medical technician who is ordered to quarantine or isolate by the person's supervisor or the City's or Johnson County's health authority due to a possible or known exposure to a communicable disease while on duty is entitled to receive paid quarantine leave for the duration of the leave.

C. NO REDUCTION IN COMPENSATION AND BENEFITS

The City of Keene will not reduce a fire fighter's, peace officer's, detention officer's, or emergency medical technician's sick leave balance, vacation leave balance, holiday leave balance, or other paid leave balance in connection with paid quarantine leave taken in accordance with this policy.

City of Keene Personnel Policies and Procedures

Chapter 5: Leave

5.12 MENTAL HEALTH LEAVE FOR PEACE OFFICERS Origination September 20, 2021 Revised January 16, 2025

The purpose of this policy is to provide guidance in accordance with Chapter 614.015 of the Local Government Code regarding paid mental health leave for full-time licensed peace officers employed by the City of Keene Police Department who experience a traumatic event while on duty. The City of Keene recognizes the impact traumatic events have on the mental health of our peace officers and fire fighters.

A. ELIGIBILITY

A full-time licensed peace officer who is employed by the City of Keene Police Department or a full-time fire fighter who is employed by the City of Keene Fire Department is eligible for mental health leave if they experience a traumatic event while on duty. The traumatic event must involve extreme injury, near-death, or death of an individual, or other similarly stressful situations, experienced by the peace officer or fire fighter while on duty.

B. CONDITIONS

A peace officer or fire fighter shall be allowed up to three (3) days of paid mental health leave per calendar year, subject to the following conditions: (1) the leave is (a) approved by the Chief based upon the information provided to the department administration after the traumatic event or by the Chief's next in command, if the Chief is unavailable; or (b) ordered by a mental health professional; and (2) the leave is taken as a result of a traumatic event that occurred while on duty. For the purposes of this policy, "day" is defined as an eight (8) hour shift for peace officer and twelve (12) hour shift for fire fighter.

C. PROCESS

1. The peace officer or fire fighter will contact their Chief and request the use of mental health leave in order to obtain mental health assistance.
2. The Chief will consult with the Director of Human Resources and, upon granting the leave, will allow mental health leave up to three (3) days away from work for this assistance, subject to the annual maximum leave per calendar year.
3. The Director of Human Resources will provide the peace officer or fire fighter with information about the City of Keene offered Employee Assistance Program (EAP) as stated in Chapter 6: Benefits, section 6.2.F Employee Assistance.
4. The time missed by the peace officer or fire fighter while on mental health leave will be covered by other peace officers or fire fighters, and no reason for the initial officer's absence will be noted.

D. ANONYMITY

The City will keep requests to take mental health leave and any medical information related to mental health leave under this policy confidential to the extent allowed by law and separate from the peace officer's general personnel file. The City cannot guarantee anonymity of information that is otherwise public or necessary to carry out the City's duties under the law. The hours away from work will be noted on the timesheet as regular hours to provide anonymity. However, there will be notes placed in the Peace Officer's separate medical file to provide a record of the time away as well as a historical record that the leave was granted.

E. EFFECT ON PAID LEAVE BALANCES

The City will not reduce an eligible peace officer's sick leave, vacation leave, holiday or other paid leave balance for mental health leave taken under this policy.

City of Keene Personnel Policies and Procedures

Chapter 6: Benefits

6.1 GENERAL INFORMATION & ELIGIBILITY

Origination August 23, 2018
Revised January 16, 2025

The City of Keene understands that the health and well-being of its employees and their families are vital to ensuring a strong, productive, and dedicated employee base. As such, the City currently offers a variety of benefits to eligible employees and their eligible dependents.

All employee benefits are provided at the discretion of the City Council and in accordance with the approved annual budget. Benefits are not a right, but a privilege and may be changed or suspended at any time.

A. GENERAL BENEFITS INFORMATION

The City contributes toward the cost of some benefits, such as retirement, medical benefits, life insurance, and the Employee Assistance Program (EAP). In addition, the City makes other benefits available to employees, although the City does not contribute toward the cost; examples of these types of benefits include short-term insurance and accident insurance.

More complete information regarding available benefits can be found the Human Resources Department or by consulting available benefits guides and plan summaries. Benefits information is generally provided to each employee at orientation and is also available from Human Resources on request.

With very limited exceptions, the City can make changes to its benefit offerings at any time; these changes could include discontinuing benefit programs or changing the rates at which the City contributes toward benefit costs. In general, employee benefits, except for previously accrued retirement benefits, are not guaranteed to continue, and City contributions to any benefit program are subject to sufficient funds being available and allocated in the annual budget process.

B. ELIGIBILITY

Full-time employees scheduled thirty (30) hours or more per week are eligible for standard City benefits. Part-time or temporary employees are not entitled to participate in the City's benefits programs. Part-time employee's hours are to be closely monitored to assure they do not work in excess of thirty (30) hours so that they may become eligible for benefits.

Effective October 1, 2018, an employee's spouse will no longer be eligible for medical insurance coverage if he/she is eligible for medical coverage through his/her employer.

C. BENEFITS EFFECTIVE DATE

Benefit coverage (if elected) begins either 1) sixty (60) days after from the employee's first day of work at the City or 2) on the date of a "qualifying event" that is the basis for an existing employee electing to add coverage. (See Electing and Changing Benefits below for information on changes in coverage.)

All benefit coverage ends one month after the effective date of termination unless special provisions are made for the coverage to continue. (See Benefits after Employment Termination below for more information on continuing coverage after termination.)

The effective date for other benefits will vary depending on the particular benefit and the rules of the third-party benefits provider or administrator. Contact the Benefits Division of Human Resources to find out more information about when your benefits will begin.

D. ELECTING AND CHANGING BENEFITS

As part of the orientation process, new employees are informed about all available benefit programs. Employees must make their selections at orientation or within fifteen (15) days of starting work with the City.

All City benefits operate on a “fiscal year” that runs from October 1st through September 30th. After the initial selection, benefits can generally only be changed during the designated annual open- enrollment period, during which a participant elects their benefit options for the following plan year.

However, changes can be made outside of the open-enrollment period if a “qualifying event” occurs. Examples of “qualifying events” include marriage, divorce, birth or adoption of a child, the death of a dependent, loss of outside group health coverage, and change in employment status.

A covered individual who wants to revise his or her benefits coverage because of a life-changing event must do so within thirty (30) days of the event occurring.

E. PROOF OF DEPENDENT ELIGIBILITY

Proof of eligibility must be provided to enroll a dependent. In addition, the City periodically performs audits to ensure that all enrolled dependents meet eligibility criteria, and proof of eligibility may be required in connection with this type of audit.

Proof of eligibility may include birth certificates, divorce decrees, adoption papers, guardianship papers, income tax returns, marriage licenses.

City of Keene Personnel Policies and Procedures

Chapter 6: Benefits

6.2 AVAILABLE BENEFIT ELECTIONS

Origination November 1, 2018

Revised January 16, 2025

The City of Keene offers medical, dental, and vision insurance coverages to regular full-time employees. Medical insurance is offered to employees regularly scheduled to work over thirty (30) hours per week. Employee premium costs vary depending upon the plan chosen and the employee's election of dependent coverage. Please refer to the Employee Benefits Plan Guide or contact Human Resources for more information.

A. HEALTH INSURANCE

The City provides medical benefits to eligible individuals in the form of a self-funded group medical plan, which is administered by a third party.

B. FLEXIBLE SPENDING ACCOUNTS

The Flexible Spending Account (FSA) Plan allows an employee to set up an account to pay for certain eligible expenses using pre-tax dollars. The FSA Plan is governed by Section 125 of the Internal Revenue Code. If participating in the FSA Plan, an employee will designate an amount to be deducted from wages and placed into the account(s) for use in paying for certain health care, dependent care, and adoption-related expenses. The City of Keene has placed a maximum employee contribution amount of two thousand six hundred fifty dollars (\$2,650.00).

Eligible expenses must be incurred during the plan year (October 1 through September 30), and all claims for reimbursement must be received on or before December 31. If the entire balance of the account(s) is not exhausted by claims for reimbursement submitted before the deadline, the remaining balance in the account(s) that exceeds the rollover limit will be lost.

C. DENTAL INSURANCE

The City offers eligible individuals access to dental insurance offered by a third-party insurance company. Dependent premiums for dental insurance are the sole responsibility of the participant and are deducted from wages on a pre-tax basis. The City does not contribute to the cost of participation.

D. LIFE INSURANCE

The City provides each active employee a basic term life insurance policy in the amount of fifty thousand dollars (\$50,000.00) at no cost to the employee. Employees may purchase additional/supplemental life insurance through the City. The City does not contribute to the cost of the supplemental life insurance policy.

E. LONG-TERM DISABILITY

The City of Keene provides group long-term disability insurance to all regular full-time employees. There is no cost to the employee for this coverage. Disability claims must be

approved by the insurance carrier before benefits will begin. There is a ninety (90) day elimination period.

F. EMPLOYEE ASSISTANCE

The City offers an Employee Assistance Program (EAP) to all full-time employees and those that live in their household. The EAP offers individuals the opportunity to consult with professional service providers to help resolve personal problems. Services under the EAP are limited to a specified number of appointments per year. Ongoing assistance beyond the EAP limits may be available as part of the City's medical benefits depending on the situation and applicable coverage.

G. WELLNESS PROGRAMS

The City of Keene offers a Wellness Program to promote physical and mental health and well-being and to provide opportunities for increased health and well-being through education and positive lifestyle changes. Additional information is available for upcoming programs in the Human Resources Department.

Hours spent participating in a Wellness class or program do NOT count as hours worked. Participation in wellness activities is voluntary, and therefore, the City is not liable for injuries sustained by employees during their participation in these activities. As a general reference, injuries that occur during non-pay status are not compensable. Non-pay status consists of time before work, after work, and non-paid time during the workday. Prior to participating in Wellness program physical activities, employees will be required to sign a liability release form. The signed release forms will be kept in wellness program files. It is the employees' responsibility to consult with their physician before beginning any wellness program that may contain physical activity.

H. SUPPLEMENTAL INSURANCE

The City provides other elective benefits for regular full-time employees. Participation in elective benefits is strictly voluntary on the part of the employee. These supplemental policies are not paid by the City but are offered to employees to supplement their current insurance coverage. The elective benefits may change from time to time. Employees can contact Human Resources for more information about supplemental insurance policies.

I. TEXAS MUNICIPAL RETIREMENT SYSTEM (TMRS)

All regular and probationary full-time employees working over 1,000 hours per year automatically become members of the Texas Municipal Retirement System (TMRS). Participation in the program is mandatory. For more information, contact Human Resources or see the TMRS Member Guide.

J. DEFERRED COMPENSATION

The City offers a voluntary Deferred Compensation Program where employees can contribute to a deferred compensation. Employee contributions are made by payroll deduction. For more information, contact Human Resources.

K. SOCIAL SECURITY

All employees of the City of Keene are included in the Social Security and Medicare System. The City is required to deduct a percentage of gross income from each paycheck per IRS regulations.

L. UNEMPLOYMENT INSURANCE

All employees of the City of Keene are covered under the Texas Unemployment Compensation Insurance program, for which the City contributes. This program provides payments for unemployed workers in certain circumstances.

M. WORKERS' COMPENSATION

It is the policy of the City of Keene to provide worker's compensation insurance for all personnel employed by the City for occupational injuries and illness suffered during the course and scope of employment with the City, in compliance with Texas workers' compensation laws.

The term "on the job injury or illness" as used in this section shall mean an injury to the physical structure of the body or part thereof including any subsequent aggravation or re-injury that occurs while the employee is acting in the course and scope of his employment and shall not include any illness, disease or infection except such illnesses, disease or infection that are directly caused by and naturally result from a physical on-the-job injury.

- Injury Traveling to and from Work: Injuries that occur while traveling to and from work, or while attending to personal matters, shall not be deemed injuries that qualify for workers' compensation.
- Horseplay, Failure to Follow Procedures, Timely Reporting: Horseplay, failure to follow established City and/or departmental safety practices or policies, failure of timely reporting, or carelessness may result in disciplinary action, up to and including termination.
- Physician at City Expense: The City may require an employee injured in the course and scope of employment to submit to examinations at City expense by a physician or psychologist chosen or approved by the City and/or the City's workers' compensation carrier to determine the employee's ability to perform his job duties in addition to any medical treatment secured by the employee under workers' compensation laws.
- The City may Contest Claim: The City reserves the right to contest any claim alleged as workers' compensation and to require a full investigation and determination by the Employee Safety and Accident Review Board and/or the City's workers' compensation carrier.
- Return to Work: Every effort will be made to return injured employees to their prior positions as soon as they are medically released.

An employee with an on-the-job injury who is able, as determined by the treating physician, to perform light duty may be required by the Department Head to do so. Light duty offers can be extended for a period of (90) days. Upon the completion of ninety (90) days, the light duty can

be reevaluated to consider further extension. The extension shall require the approval of the City Manager.

The treating physician must provide the City with a written release from light duty. The City reserves the right to require an employee to be medically released with no restrictions before returning to active duty should no light duty be available. The City may require the employee to submit to examinations at City expense to determine the employee's ability to perform light duty.

City of Keene Personnel Policies and Procedures

Chapter 7: General Rules and Conduct

7.1 OPEN-DOOR POLICY

Origination November 1, 2018

Revised January 16, 2025

Employees, including all levels of supervisors, must treat each other with professional courtesy and mutual respect, even when they may not agree with each other. The purpose of this policy is to foster open and on-going communications in which employees feel comfortable discussing questions, concerns, problems, and complaints that impact the workplace; it is not to be used as a way for employees to avoid dealing directly with their immediate supervisor on most workplace issues.

A. ISSUE PRESENTED

Employees should be prepared to effectively communicate the issue, the applicable facts, previous steps taken to resolve the matter, and the resolution sought. Employees may be required to put this in writing, particularly when seeking resolution up their chain-of-command. (Note: Conduct covered by the City's EEO, Prohibited Sexual and Other Unlawful Harassment and Complaint Procedure Policy, must be addressed under that policy, not the Open-Door Policy.)

B. PROMPT RESPONSE

Supervisors are expected to respond timely and effectively to issues and concerns presented to them. Normally, supervisors will meet with the employee to communicate verbally their response to the issue raised by the employee. In some instances, a written response may be provided. The goal is to timely report back to the employee, hopefully within five business days of the employee's initial contact with the supervisor, although additional time may be needed to adequately address and respond to an issue.

C. PROCESS

It is the City's policy to resolve problems at the lowest level of the organization whenever possible, so employees are to use the following steps:

1. Immediate Supervisor. Employees should first seek to resolve issues informally with their immediate supervisor. The supervisor will attempt to address and resolve the issue in a timely manner, meeting with the employee as necessary to ensure effective communication.
2. Next Level Supervisor. If an employee is not satisfied with the outcome or resolution provided by an immediate supervisor, the employee may seek guidance from the next person in the "chain-of-command." In most instances, however, the higher-level supervisor's responsibility will be to encourage employees to work directly with their immediate supervisor to resolve any issues.

3. Human Resources. Employees, including supervisors, may go to Human Resources at any time for assistance in dealing with workplace issues.

D. RETALIATION

Employees will not be penalized for using the City's Open-Door Policy as long as they demonstrate the required professional courtesy and mutual respect throughout the process.

City of Keene Personnel Policies and Procedures

Chapter 7: General Rules and Conduct

7.2 EMPLOYEE CONDUCT AND DISCIPLINE

Origination June 28, 2007

Revised January 16, 2025

Each City employee is held to a high standard. This standard starts with respect and integrity in all that we do. Each employee is expected to be accountable, show quality and detailed work, and complete tasks promptly and accurately. Many of the standards required of employees are set out in various City policies and procedures, in each employee's Job Description, and Performance Evaluation. Employees are also required to perform their job duties and conduct themselves in a way that reflects positively on the City.

A. UNACCEPTABLE CONDUCT

It is impossible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of conduct that will likely result in disciplinary action, up to and including termination of employment, under the City's discipline policy:

1. Violations of any City policy or procedure (in this Manual or elsewhere)
2. Violations of Departmental SOPs, General Orders, Codes of Conduct, or other rules or procedures
3. Insubordination
4. Theft or inappropriate removal or use of property not your own
5. Dishonesty, lying or willful omission
6. Falsification of timekeeping or other records, including employment application and expense reports
7. Working under the influence of alcohol or illegal drugs or the abuse of legal drugs
8. Possession of alcohol, illegal drugs, or other illegal substances or materials
9. Offensive racial, sexist, or ethnic remarks, and sexual or other unlawful harassment
10. Excessive and/or unauthorized absences/tardiness or absence without proper notice
11. Breaks in excess of allotted time
12. Profanity or abusive language
13. Violation of safety or health rules and failure to immediately report on-the-job injuries
14. Coercion, intimidation, or threatening behavior
15. Making or publishing false, vicious, or malicious statements
16. Interfering with work schedules or another's ability to work
17. Misuse of City telephones, computers, mail system, etc.
18. Unauthorized disclosure of confidential information
19. Rude, disrespectful, or unprofessional conduct
20. Unsatisfactory performance or conduct
21. Disruptive activity
22. Fighting, provoking or instigating a fight
23. Loss, waste or damage of property
24. Failure to timely return to work upon conclusion of authorized leave or disciplinary suspension

25. Off-duty conduct that adversely affects the City, its reputation, or the employee's ability to do their job
26. Violation(s) of local, state or federal law
27. Sleeping on the job (except for certain firefighters)
28. Gambling on city property

B. MANDATORY REPORTING OF FELONIES AND MISDEMEANORS

Employees must immediately notify their supervisor (Directors must notify the City Manager) if they are arrested, charged, indicted, convicted, receive deferred adjudication, or plead nolo contendere to any misdemeanor or felony; however, employees who never drive as part of their City job duties are not required to report minor traffic violations. In most instances the City will conduct its own investigation and take appropriate action; in rare instances, an employee may be placed on paid or unpaid administrative leave until the matter is resolved through the judicial system, at which time the City will make a decision about the employee's employment.

C. DISCIPLINE

The City's Discipline Policy emphasizes the employee's responsibility for the consequences of their own behavior, with a focus on communicating expectations for changes in behavior and needed improvement. In other words, discipline is a tool for supervisors to use to ensure that employees know both what is expected of them and the consequences if they fail to meet those expectations. While the primary purpose of discipline is to educate, correct and prevent the recurrence of unacceptable conduct and/or job performance, in some cases termination of employment is the appropriate response.

1. **Department Directors.** Directors are responsible for discipline in their Department. While Directors can delegate certain responsibilities, they cannot delegate more serious levels of discipline. The City Manager must approve all terminations, demotions, and suspensions. The City Manager makes discipline decisions for Directors.
2. **Department Directors and Other Supervisors.** A thorough investigation should take place before discipline is taken to include an explanation from the employee in question. Supervisors must use discretion in discussing allegations of misconduct and any resulting investigation, findings, and/or discipline.
3. **Progressive Discipline.** The City typically uses progressive discipline. The City may begin the disciplinary process at any level, depending upon such factors as the severity of the misconduct/unacceptable job performance, prior job performance and disciplinary history, length of service, and mitigating circumstances. Discipline may consist of one or a combination of the following:
 - a. Documented Counseling – typically used for the first time, minor, and/or non-recurring misconduct and/or unacceptable job performance.
 - b. Letter of Discipline – typically used for more serious and/or recurring misconduct and/or unacceptable job performance.

- c. Suspension – typically is without pay and used for serious and/or recurring misconduct and/or unacceptable job performance by a non-exempt employee. Suspensions may not exceed ten work days/shifts.
- d. Demotion – reduction in rank, classification, and/or pay
- e. Termination – involuntary discharge

D. DOCUMENTATION – FOR BOTH REGULAR & PROBATIONARY EMPLOYEES

All discipline must be documented in writing and approved by the Director (or designee) before given to the employee. The documentation will set out the unacceptable conduct/performance (including dates), future expectations, and consequences if the employee does not meet expectations. A meeting will be held with the employee to deliver the discipline and counsel with the employee. All documentation must be signed by the appropriate supervisor(s) and the employee. The employee's signature is not an admission or denial; it is merely an acknowledgment of receipt, so the refusal to sign is considered insubordination. Acknowledgments will state: "I have received and been made aware of the contents of this disciplinary action. I understand that this discipline will be placed in my personnel file." If the employee refuses to sign, the supervisor/Director will so note on the document. A copy of the discipline is given to the employee and the original goes to Human Resources.

E. DISCIPLINE STEPS/PROCEDURES

In addition to the documentation outlined above, the following steps are required as indicated:

1. **Firefighters & Police Officers - Written Complaint Required.** In accordance with the Texas Government Code, a written complaint is required before any discipline can be taken against a firefighter or police officer. The person making the complaint, whether internal or external to the Department or City, must sign the complaint and a copy must be given to the employee within a reasonable time after it is filed. The firefighter/police officer cannot be terminated until after the complaint is investigated and evidence exists to prove the allegation of misconduct.
2. **Fact Gathering/Investigation.** Before discipline is taken, the Department will review and/or investigate the employee's conduct/performance and gather relevant facts in accordance with the City's Investigations Policy.
3. **Unpaid Suspension, Demotion, or Termination.** In addition to the other steps set out in this policy, a discipline that involves an unpaid suspension of one day/shift or more, demotion, or termination requires the following:
 - a. Notice of Proposed Discipline. The Department will give the employee a written notice of the proposed discipline, setting out information such as the allegation(s) of misconduct/unacceptable performance, a summary of the facts, investigation

results, policy violations, prior discipline, and the proposed discipline. The notice will normally be provided to the employee at least 48 hours in advance of the pre-disciplinary conference, with a copy to Human Resources.

- b. **Pre-Disciplinary Conference.** An informal, pre-disciplinary conference will be held to provide the employee with an opportunity to make a statement and present any documentary information they believe is relevant to the disciplinary decision. (Only the City Manager can make exceptions to this policy.) The Director (or designee), the affected employee, and anyone else deemed necessary by the Department typically attend the meeting. The Department will schedule and notify the employee of the date, time, and location of the conference, usually at least 48 hours in advance.
- 4. **Administrative Leave.** During an investigation/review into alleged misconduct/unacceptable performance and/or pending disciplinary action, an employee may be placed on administrative leave in accordance with the City's Administrative Leave Policy.
- 5. **Disciplinary Appeals.** Eligible employees may appeal an unpaid suspension of at least 1 day or 1 shift (or more), demotion, or termination. (These are the only employment actions that are appealable.) Appeals are conducted informally in a meeting format.
 - a. **Eligible Employees.** Only regular full- and part-time employees who have successfully completed their new-hire performance probation are eligible to appeal. Employees who resign from City employment, including those who resign in lieu of termination, are not eligible to file an appeal.
 - b. **Appeal Process.** Appeals must be submitted to the City Manager in writing. Unsigned, undated, and/or incomplete appeals will not be considered. Employees should attach any documentation which helps to explain their appeal.
 - c. **Deadline for Filing.** Appeals must be filed within five (5) business days of the disciplinary action being appealed. The deadline may be extended by the City Manager under extenuating conditions.
 - d. **Meeting with City Manager.** Appeals are heard by the City Manager who will try to schedule the appeal meeting within five (5) business days of receiving the appeal. Normally, the employee, the Director, and the supervisor(s) attend the appeal meeting. If the City Manager needs additional information, he/she may talk to other witnesses and/or gather additional information. If necessary, the City Manager may also talk to the appealing employee again. The City Manager will try to provide the employee with a written decision within five (5) business days of the appeal meeting.

e. **Determination.** The City Manager's decision is final.

F. INVESTIGATIONS

Workplace investigations are sometimes necessary to gather information and/or to comply with various laws. The reasons for an investigation vary but often involve allegations of misconduct including discrimination or harassment, theft, substance abuse, violations of City policies, citizen complaints, threats, and other safety issues. Investigations arising under the City's EEO, Prohibited Harassment, & Complaint Procedure Policy will be coordinated by Human Resources unless the City Manager directs otherwise. Other investigations may be conducted by the appropriate Department as authorized by the City Manager. Sometimes the City may bring in an outside investigator.

Cooperation. Employees are required to fully cooperate with the City during a workplace investigation and to answer truthfully and fully to any questions asked during an investigation. Employees who are untruthful or who are uncooperative during an investigation are subject to disciplinary action up to and including termination.

Background Checks. The City may conduct a more in-depth background check on employees as part of an investigation.

Searches. The City may conduct unannounced searches or inspections of the work site, including but not limited to City property used by employees such as lockers, file cabinets, desks, and offices, vehicles, cell phones, cameras, computers, and electronic data and files, whether secured, unsecured or secured by a lock provided by the employee. If reasonable suspicion exists, the City may also conduct unannounced searches or inspections of the employee's personal property located on City premises, including vehicles parked on City parking lots. Searches conducted as part of an investigation must be authorized and conducted under the direction of Director and/or the City Manager.

No Expectation of Privacy. Employees have no expectation of privacy when using any of the City's information systems or in City property used by employees such as lockers, file cabinets, desks, offices, vehicles, cell phones, cameras, computers, and electronic data and files, whether secured, unsecured or secured by a lock provided by the employee. Further, nothing in this policy prohibits the City from ensuring that employees are properly supervised and that City business continues uninterrupted. This means that an employee's desk, work area, files, etc. are always subject to review and inspection by the City.

Polygraphs. Except for extraordinary circumstances, City employees (other than certain employees in the Police and Fire Departments) will not be subjected to polygraph examinations. Police and Fire Department employees will be required to submit to a polygraph test only in those situations permitted by law. Nothing in this policy prohibits an employee from volunteering to be polygraphed. No City employee, however, whether in Police, Fire or another

City Department, may be polygraphed without the prior written authorization of the City Manager.

Administrative Leave. Employees may be placed on administrative leave during an investigation. See City's Administrative Leave Policy.

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7.3 WORKPLACE CONDUCT

Origination June 28, 2007

Revised January 16, 2025

The purpose of this policy is to prohibit discrimination, harassment, and workplace violence; the condoning or perpetuating of such conduct, or retaliation for reporting such conduct or assisting in an investigation; and to provide a process for reporting and resolving complaints of harassment, discrimination and workplace violence.

All city employees are entitled to a workplace free of workplace violence and unlawful discrimination and harassment by management, supervisors, co-workers, citizens, and vendors. This means that each employee must be respectful of others and act professionally. City employees are also prohibited from engaging in workplace violence and unlawful discrimination and harassment of other employees, citizens, vendors, and all other third parties.

All city employees (regular, part-time and temporary, non-exempt and exempt), elected officials and volunteers are governed by the provisions of this policy.

A. SEXUAL HARASSMENT

All types of sexual harassment are prohibited. Sexual harassment is the behavior of a sexual nature that is not welcome, is personally offensive, undermines morale, interferes with the work performance and effectiveness of another person in the work environment, or creates an intimidating, hostile or offensive work environment.

Sexual harassment is defined as unwanted or unwelcomed sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature constitute sexual harassment when 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or 2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Sexual harassment does not require sexual attraction or interest. Sexual harassment prohibited under this policy includes, but is not limited to:

1. Unwanted or unwelcome sexual advances and requests for sexual favors or propositions,
2. Sexual jokes and innuendo;
3. Comments about bodies, sexual prowess, sexual preferences, sexual experiences or sexual deficiencies;
4. Leering, whistling, or physical contact such as touching or blocking movements;
5. Verbal abuse of a sexual nature, including insulting or obscene comments or gestures;
6. Display in the workplace of sexually suggestive objects or pictures, including nudity and pornography;
7. Continuing to express sexual or social interest after being informed directly that the

interest is unwelcome, and;

8. All inappropriate conduct of a sexual nature, whether it be physical, verbal or visual conduct.

B. UNLAWFUL HARASSMENT AND DISCRIMINATION

Harassment or discrimination on the basis of any legally protected characteristic is strictly prohibited. Demeaning, hostile, or offensive conduct based on membership in a group defined by characteristics such as race, religion, color, national origin, age, disability, genetics, veteran status, citizenship, or any other characteristic protected by law when it is unwelcome, and has the purpose or effect of unreasonably interfering with an individual's work performance, creating an intimidating, hostile or offensive work environment, or otherwise adversely affecting an employee's employment opportunities is prohibited.

No employee shall discriminate against any individual on the basis of race, religion, color, national origin, age, disability, genetics, veteran status, citizenship, or any other characteristic protected by law with respect to any employment action or condition of employment. This means that demeaning, hostile or offensive verbal or physical conduct that singles out, denigrates, or shows hostility or aversion toward someone because of race, religion, color, national origin, age, disability, genetics, veteran status, citizenship, or any other characteristic protected by law is prohibited.

Prohibited conduct. Prohibited conduct includes, but is not limited to, epithets, slurs and negative stereotyping; threatening, intimidating, or hostile conduct; denigrating jokes and comments; and writings or pictures, that single out, denigrate, or show hostility or aversion toward someone on the basis of a protected characteristic. Any conduct, comments, or innuendoes that may be perceived by others as offensive are inappropriate and are strictly prohibited.

This policy also prohibits sending, showing, sharing, or distributing in any form, inappropriate jokes, pictures, comics, stories, etc., including but not limited to via facsimile, e-mail, cell phone or other electronic devices, social media, and/or the Internet, such as YouTube, Twitter and Facebook. Harassment of any nature, when based on race, religion, color, sex, national origin, age or disability, genetics, veteran status, citizenship or any other characteristic protected by law is prohibited and will not be tolerated.

C. WORKPLACE VIOLENCE

Workplace violence is prohibited. Workplace violence is physically aggressive, violent or threatening behavior intended to instill fear in another person or persons through intimidation, including verbal or physical threats of any kind; or any other conduct that suggests a tendency toward violent behavior. Examples include:

1. Excessive arguing, belligerent speech, profanity, sabotage or threats of sabotage to city property or other employees' property;
2. Causing physical damage to city facilities or defacing city property; and
3. Carrying firearms or weapons of any kind into the workplace unless specifically allowed by law, or displayed in a manner intended to threaten or alarm.

D. COMPLAINTS

It is the responsibility of any employee who believes he or she has been subjected to unlawful harassment or discrimination, regardless of the offender's identity or position, to promptly report such incident.

A person who experiences harassment or discrimination may seek to resolve the problem by advising the offending individual that the behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. However, persons are not required to deal directly with an offending individual in seeking resolution of a complaint of harassment or discrimination and may proceed as outlined below.

A complaint may be filed verbally, or in writing to the employee's supervisor or director or to the Human Resources Administrator.

1. If the employee does not feel comfortable reporting the incident to the employee's supervisor, director or to the Human Resources Administrator, the employee may report the incident to City Manager's office.
2. Written complaints should be submitted either by email or in person. Verbal reports must be reduced to writing by either the employee or the person who receives the complaint and must be signed.
3. The person's complaint should be as detailed as possible, including the names of individuals involved, the names of any witnesses, the date and time of the incident, direct quotations when language is relevant, and any documentary evidence (notes, pictures, cartoons, et cetera).
4. A person wishing to file a complaint should do so promptly at the occurrence of the discrimination harassment, workplace violence or retaliation. Early reporting and intervention have proven to be the most effective method of resolving actual or perceived discrimination.

A supervisor or director who receives a formal or informal complaint (writing or inverbal) must forward it to the Human Resources Administrator immediately upon receipt.

The Human Resources Administrator shall notify the City Manager immediately of all complaints of prohibited conduct reported pursuant to this policy.

E. MANDATORY REPORTING

The city requires that employees report all observed or perceived incidents of harassment or discrimination, regardless of the offender's identity or position.

Any employee who observes or otherwise learns of possible harassment in the workplace or who feels that harassment has occurred must immediately report it to one of the following:

1. Human Resources Administrator; or
2. City Manager.

The Human Resources Administrator shall notify the City Manager immediately of all reports of prohibited conduct reported pursuant to this policy.

F. INVESTIGATION PROCESS

The Human Resources Administrator shall promptly investigate all complaints and reports of prohibited conduct. Such an investigation shall include an interview with the complainant, the person against whom the complaint is filed, and all other persons having any information on the matter.

During the investigation process employees may be placed on administrative leave pending the outcome of the investigation. An employee who fails to cooperate in an investigation shall be subject to corrective action, up to and including termination.

After all relevant information has been collected; the following shall occur:

1. The Human Resources Administrator shall prepare a report of the findings;
2. The Human Resources Administrator shall meet with the City Manager to discuss the findings of the report;
3. The Human Resources Administrator shall meet with the Department Director to discuss the findings of the report;
4. A determination of the reported conduct shall be made and communicated to the complainant and to the accused employee; and
5. Based on the findings, the Department Director (or City Manager, if appropriate) shall administer appropriate corrective action.

A volunteer found to have violated any provision of this policy may be reassigned or removed. If an elected or appointed official is found to have violated any provisions of this policy, such behavior shall be considered to have violated the provisions of the City Charter of the City of Keene and shall be subject to the penalties described therein.

G. RETALIATION

Retaliation against employees who make a good faith charge or report of prohibited conduct or who assist in a complaint investigation is prohibited. Acts of retaliation must be reported immediately as set out above.

H. RESPONSIVE ACTION

Violations of this policy may lead to corrective action, up to and including dismissal of employment. Corrective action will also be imposed in situations where claims of prohibited conduct were untruthful, fabricated or exaggerated or when employees are untruthful during an investigation.

I. COUNSELING RESOURCES

The Human Resources Administrator is available to provide counseling, referrals, and assistance to employees and supervisors regarding complaints of discrimination, harassment, workplace violence, and retaliation.

J. APPEAL

Please refer to Chapter 8, *Policy 8.2 - Employee Grievance and Appeals* for more information.

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7.4 WEAPONS BAN

Origination November 1, 2018

Revised January 16, 2025

The City strives to provide a safe and secure work environment for its employees. This policy is designed to help prevent incidents of violence from occurring in the workplace and to provide for the appropriate response when and if such incidents do occur.

Employees have the right to work in an environment free of violence. All employees of the city are expected to treat each other, their customers, clients and all others with courtesy, dignity and respect, consistent with our core values.

Violence includes physically harming another, shoving, pushing, harassing, bullying, intimidating, coercing, and threatening or talking of engaging in those activities at any time, including off-duty periods. It is the intent of this policy to ensure that everyone associated with the city, including employees, customers, and citizens, never feel threatened by an employee's actions or conduct.

If an employee engages in any violence in the workplace, or threatens violence, employment may be terminated immediately. No talk of violence or joking about violence will be tolerated.

A. REPORTING THREATS

Employees must promptly report threats to their supervisor and the Director of Human Resources or designee. Employees reporting imminent threats and/or acts of violence in progress should notify the local police by dialing "911." Should the incident occur outside of normal business hours, the Police Department will notify the Director of Human Resources by the next business day.

The city will promptly and thoroughly investigate all reports of the threat of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, the city may place employees on administrative leave with or without pay, pending the outcome of the investigation.

B. WEAPONS BANNED

The City of Keene strictly prohibits an employee, other than those specifically authorized by the city charter or a particular work assignment, to possess or carry on city premises or at a city work site, any instrument or weapon that is specifically designed, made or adapted for the purpose of inflicting serious bodily injury or death. This does not include bona fide tools used by an employee in the normal course of his/her duties, when using the tool in the manner that it was designed to be used on property. Texas Government Code Chapter 411 allows the city as an employer to prohibit employees from carrying handguns in city-owned facilities or property. As such, employees, regardless of whether they have a license to carry a handgun or not, are prohibited from carrying a handgun or other firearm on city premises but may leave it in a private

locked car in a city-owned parking lot. Licensed law enforcement officers are exempt from this policy restricting handguns on city premises.

Employees who violate this policy are subject to disciplinary action, up to and including termination of employment.

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7.5 USE OF CITY PROPERTY AND EQUIPMENT

Origination November 1, 2018

Revised January 16, 2025

The City attempts to provide employees with adequate tools, equipment, vehicles and facilities appropriate to their position. The City requires employees to observe safe work practices and lawful, careful and courteous operation of vehicles and equipment. See City's Employee Safety Manual for additional information and requirements.

A. EMPLOYEE RESPONSIBILITY

Employees are responsible for City property that is formally issued to them as well as for other items under their responsibility. Employees may be required to sign documentation evidencing their receipt of City property and authorizing payroll deductions for the cost of lost, damaged, or unreturned items. In addition to payroll deductions, the City may take other action to recover and/or protect its property.

B. DUTY TO NOTIFY SUPERVISOR

Employees must immediately notify the appropriate supervisor if any vehicle, equipment, machine, tool, or other item appears to be damaged, defective, or needs repair. The appropriate supervisor can answer questions about an employee's responsibility for maintenance and care of equipment used on the job.

C. PERSONAL USE PROHIBITED

City property may not be removed from City premises or worksites or used for personal business.

D. POLICY VIOLATIONS

Improper, careless, negligent, destructive, or unsafe use or operation of equipment or other violations of this policy will likely result in disciplinary action, up to and including termination of employment.

E. RETURN

Employees must immediately return all City property and equipment to the appropriate supervisor upon separation of employment or at any other time when requested by the City.

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7.6 DRIVING ON CITY BUSINESS

Origination November 1, 2018

Revised January 16, 2025

Employees are responsible for putting safety first whenever driving. While operating a motor vehicle on City business, whether a personal or City vehicle, employees must comply with the following:

- Have an appropriate and valid Texas driver's license.
- Follow applicable laws and speed limits.
- Drivers and passengers must use their seat belts when the vehicle is in operation.
- Drivers must have current personal insurance coverage with the minimum liability coverage required by the State of Texas, provide proof of insurance upon request, and maintain eligibility for coverage under the City's insurance policy.
- **EMPLOYEES IMPAIRED BY ALCOHOL OR DRUGS CANNOT OPERATE A VEHICLE WHILE CONDUCTING CITY BUSINESS.**

A. CITY VEHICLES

In addition to the City's Employee Safety Policy and the above, when operating or riding in a City-owned or leased vehicle, the following also apply:

- City vehicles may only be used for authorized official City business and driven only by authorized City employees.
- Passengers must be City employees or others on City business.
- No personal use (exceptions must be approved in advance by the Director or City Manager, as appropriate).
- Maintenance and use records must be completed as directed by the supervisor and the Employee Safety Policy.
- Report broken, missing, or worn parts, tires, etc., or any needed maintenance of City vehicles to the appropriate supervisor immediately.
- Covered drivers must comply with applicable DOT regulations.
- No alcoholic beverages in City vehicles.
- No smoking, e-cigarettes, or tobacco products of any kind.

B. TAKE HOME VEHICLES

A City vehicle may be assigned to a position or an employee if the position requires first call emergency callbacks during off-duty hours. Employees who reside more than five miles outside the City limits are not normally allowed to have take-home vehicles. Transporting passengers (other than those on official City business) and personal use of take-home vehicles, except to commute to and from work, is not allowed.

Take-home vehicles are classified as either "exempt" or "non-exempt" as prescribed by law. Employees assigned a non-exempt vehicle will likely incur a federal income tax liability for the fringe benefit of commuting to and from work. Most pickups, vans, and automobiles are classified as non-exempt; however, most take-home police and fire vehicles are exempt from the fringe benefit tax liability.

C. ACCIDENTS

Employees involved in an accident must immediately notify the proper law enforcement authority agency, their supervisor, and Director in accordance with the City's Employee Safety Manual. Accident reports, along with any law enforcement report, must be given to Human Resources as soon as possible. Employees and supervisors must follow all the other procedures set out in the City's Employee Safety Manual.

D. DRIVING WITH CELL PHONE

While driving on City business or using a cell phone to conduct City business, employees must use extreme caution. Employees should not make or receive cell phone calls while operating a vehicle. While operating a vehicle, employees are not to use other cell phone features such as text messaging, obtaining navigational information, instant messaging, browsing the Internet, reading or sending emails, downloading MP3 files, playing games, or any other forms of electronic communication and data retrieval. In all cases, employees must know and follow applicable state and local laws governing the use of cell phones while driving. Additional safety guidelines include:

- Don't look-up or enter phone numbers while driving.
- Don't use the phone in heavy traffic or bad weather.
- Use hands-free technology.
- Avoid stressful conversations while driving.
- Don't use handheld or other electronic devices that pose a distraction.

E. DRIVER'S LICENSE/DRIVING RECORD

Employees who drive while carrying out their job duties must maintain a valid Texas driver's license, have an acceptable driving record as determined by the City, and inform their Director and the Human Resources Department of any change in status. It is the employee's responsibility to maintain all special license classifications required by his/her job duties. Driving records are checked annually by the Human Resources Administrator and prior to employment. See Chapter Three Section 3.7 *Driving Records* for more information.

F. POLICY VIOLATIONS

Violations of any of the specific items listed above, as well as the improper, careless, negligent, destructive, or unsafe use or operation of a vehicle, may result in disciplinary action, up to and including termination of employment. Loss of take-home privileges for vehicles and/or restitution may also occur.

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7.7 ELECTRONIC & DIGITAL COMMUNICATIONS – ACCESS & USE

Origination November 1, 2018
Revised January 16, 2025

The City provides computer networks, Internet access, Instant Messaging, email, telephones, digital cameras, voice mail, fax, and other communication systems for use by City employees in the performance of their job duties. These communication systems, technology, and devices are referred to collectively in this policy as “systems.” These systems are designed to support and enhance the communication, research, and information capabilities of City employees and to encourage work-related communication and sharing of information. This policy governs user behavior pertaining to access and usage of City systems. This policy applies to all City employees and anyone else who uses City’s systems. The City’s systems must be used in a professional, responsible, efficient, secure, ethical and legal manner.

A. INTERNET, INSTANT MESSAGE, AND EMAIL ACCESS

Employees who need access to certain of the City’s systems, (e.g., Internet, Instant Messaging, and email) must obtain written authorization from their Director (or designee) and provide it to the IT Manager. Users must acknowledge understanding of this policy and its guidelines as a condition of receiving access.

B. SIGNATURE BLOCK

Employees must use the “official” City signature block approved by the City Manager on all emails. No additions or alterations are allowed.

C. ACCEPTABLE USE

Acceptable uses of the City’s systems are limited to those that support the business needs of the City such as reference, research, internal/external communication, and the user’s specific job duties. Network users are encouraged to develop uses which meet their individual needs and which take advantage of the City’s internal network function. Use of any City-provided system, including the Internet and email, is a privilege. Minimal personal use is allowed as long as such use is not excessive, does not impede job performance or the performance of City business, and does not result in additional cost to the City, and is not in violation of this or other City policy. The City is not responsible for personal communications sent using its systems.

D. UNACCEPTABLE USE

It is impossible to list all the types of content and uses of the City’s systems that are considered unacceptable. The following examples are typical of those that will violate this policy:

1. Using profanity, obscenity, or other content that is likely to be offensive, harassing, or unprofessional.

2. Connecting to sites or forwarding content that is likely to be offensive to others, including sites or information containing full or partial nudity or sexual content.
3. Copying or downloading commercial software in violation of copyright law.
4. Using for financial gain or for any commercial activity unrelated to City business.
5. Use that creates a security breach of City networks or systems.
6. Looking or applying for work or business opportunities other than for internal City postings.
7. Accessing any site or creating or forwarding messages or other content with derogatory or offensive content regarding race, religion, color, sex, national origin, age, disability, genetic information, physical attributes, or sexual identity, orientation or preferences.
8. Transmitting or sharing information about a co-worker's health status without his/her permission.
9. Expressing opinions or personal views that could reasonably be misconstrued as being those of City.
10. Use for any illegal purpose, in violation of City policy, or contrary to its best interest.
11. Accessing, displaying, downloading, or distributing sexually explicit, obscene, harassing offensive, unprofessional, or other inappropriate messages or content.
12. Sharing or otherwise failing to safeguard a password.
13. Playing games
14. Gambling

E. FILTERING

The City may use software to identify and/or filter Internet access and other content on its systems. These filters are designed to prevent employees from accessing, viewing, sending, or receiving inappropriate content, such as violence/profanity, full or partial nudity, sexual or deviant acts, militant/extremist, and illegal activities. The City reviews its filtering on a periodic basis and may modify its list of prohibited content without notice. The City Manager may grant exceptions to filtering if it impedes an employee's ability to perform his/her job duties.

F. RESPONSIBILITY

The person in whose name a City-provided Internet, email or other system account is issued is responsible at all times for its proper use. Email communications should not contain slang or other abbreviations commonly used when text messaging.

G. NO RIGHT OF PRIVACY & MONITORING

Users of City systems are not to assume they have any degree of anonymity and employees have no right to privacy with regard to such systems. Personal passwords are not an assurance of confidentiality. The Internet itself is not secure. To ensure proper use of its systems, the City monitors their use. City management has the ability and will, with or without advance notice, monitor and view both personal and business usage, including but not limited to: employee email, texts, voicemail, instant messages and blogs; information and material accessed, transmitted, received or stored using City systems; and user Internet access and usage patterns, including social media. Monitoring is necessary to ensure that City resources are devoted to maintaining the highest levels of productivity, service, and confidentiality, as well as proper use and compliance with this and other City policies. Even personal, password-protected, web-based

accounts used or accessed on City computers or other systems are subject to review, so employees have no expectation of privacy. Contents of emails, texts, etc., including those of a personal nature, stored on a hard drive can be retrieved.

H. COPYRIGHT RESTRICTION

Any software or other material, including music, accessed or downloaded onto a City computer or other electronic device may be used only in ways consistent with the licenses and copyrights of the supplier, author or owner of the material. Prior written authorization from the IT Department is required before introducing any software into the City's computer system. Employees may not download music, entertainment software, games or any other software unrelated to their work.

I. POLICY VIOLATIONS

Policy violations will likely result in suspension or revocation of the offender's access privileges and/or other disciplinary action up to and including termination.

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7.8 SOCIAL MEDIA - PERSONAL USE

Origination November 1, 2018

Revised January 16, 2025

While the city encourages its employees to enjoy and make good use of their off-duty time, certain activities on the part of employees may become a concern if they have the effect of impairing the work of any employee; harassing, demeaning, or creating a hostile work environment for any employee; disrupting the smooth and orderly flow of work within the office; or harming the goodwill and reputation of the city among its citizens or in the community at large.

In the area of social media, employees may use such media outside work as long as such use does not produce the adverse consequences noted above. For this reason, the city reminds its employees that the following guidelines apply in their use of social media, both on and off duty:

- Information that is published on personal online sites should never be attributed to the city and should not appear to be endorsed by or originated from the city.
- Employees engaging on personal social media platforms should not use their city e-mail account or the city's name, logos, pictures of the employee in a city uniform, incorporate the city in their identity (e.g., username, "handle", screen name or profile picture), nor should they speak as a representative of the city.
- Any person identified as an employee of the city on a publicly accessible site is expected to maintain a positive online image that is consistent with the city's goals and objectives.
- Employees that choose to list their employment affiliation on public websites should regard all communication on that site as professional.
- Employees that contribute to a public site or blog and identify themselves as a city employee are asked to provide a clear disclaimer that their views are not endorsed by the city and are their beliefs alone.
- Relationships with other city employees established outside of work on social media sites may have an adverse effect on work relationships. Employees should be mindful of this possibility.
- Posts should not disclose private or confidential information including posting photographs of fellow employees or citizens without their permission.
- Postings to any social media site of a personal nature is prohibited during work hours (this does not apply to employees who are required to post to the City's social networking websites for city-related business).

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7.9 SOCIAL MEDIA – BUSINESS USE

Origination November 1, 2018

Revised January 16, 2025

This policy outlines the protocol and procedures for the use of social media to publicize official city services and events. In addition, this policy provides guidance to the employees of the City of Keene concerning their use of social media as well as their responsibilities with regard to social media and the use of city resources.

This procedure defines the detailed steps required for all City employees for planning, approving, implementing and supporting the use of any social media for City and Departmental communications. This procedure applies to all City employees, volunteers, and elected officials. Failure to follow these procedures could lead to disciplinary action in accordance with the City's Employee Personnel Manual.

A. PROCEDURE

The use of social media will be restricted to the department proposing to use it for communications purposes. Restrictions will consist of the following:

1. Personal blogs are not permitted using City desktop computers or the City computer network. Personal blogs are "personality driven." All blogs will be business blogs – that should be "content/issue-driven." Blogs may be internal or external. In the Social Media Plan, the type of blog needs to be clearly identified.

B. SOCIAL MEDIA USE APPROVAL

The Social Media Plan must be approved by the requesting Department Head and City Manager.

C. IMPLEMENTING THE USE OF SOCIAL MEDIA

1. Approved Social Media Plans will be implemented using the following branding specifications:
 - a. The use of appropriate branding as specified by policy is required on all City of Keene social media sites. All profiles and pages should be clearly identified as official City of Keene assets, using the official City logo as the identifying image.
 - b. Profiles and pages should be designed to emulate the City's website, if possible. When possible, design colors should be consistent with the official colors in use by the City.
2. Social media sites will be implemented and shall make every effort to use City desktop computers and the City computer network. The use of privately owned computers or personal Internet connections is permitted for any City of Keene social media site if

explicitly approved by the Department Director or designee.

3. When creating a social media account, only those employees with City signature authority to execute contracts are authorized to legally bind the City when agreeing to terms and conditions with a social media provider. If no one within a department has signatory authority, the City Manager will be responsible for agreeing to the terms and conditions.
4. Sites will be set up in accordance with the requirements of the particular social media site. That includes sign-ons, usernames, etc. that will reflect the site is the City of Keene. Sites will not use personal sign-ons or personal-sounding usernames. As closely as possible, sites will use “City of Keene-Department” (fill in appropriate site name) as the username.
5. Passwords for social media sites shall be consistent including the use of strong passwords that are changed regularly. Passwords should contain at least eight characters, be significantly different from the previous password, and made up of a character from the four following groups: lowercase letters, uppercase letters, numbers, and symbols. Passwords should not contain a word from the dictionary (in any language) and should not contain the username, real name or organization name. These passwords should be changed at least on a quarterly basis.
 - a. Passwords need to be stored in a secured place and able to be retrieved by others in case the responsible individual(s) overseeing the social media site/account no longer have rights, permissions to maintain and operate the site/account. Passwords shall be under the direction of the Department Director.
6. Each site or service should include a standard disclaimer referring to the City’s rights and actions about comments. The Social Media Posting Policy should read:
 - a. Comments posted to this page will be monitored. The City of Keene, Texas, reserves the right to remove inappropriate comments including those that have obscene language or sexual content, threaten or defame any person or organization, violate the legal ownership interest of another party, support or oppose political candidates or ballot propositions, promote illegal activity, promote commercial services or products, or are not topically related to the particular posting.
 - b. The City Manager or his or her designee will maintain a list of social media sites and services which have been approved for use by City departments and staff.

D. SUPPORTING SOCIAL MEDIA

1. The site must be maintained effectively. Estimated employee time and cost need to be included as part of the Social Media Plan. Employees designated to manage, post and use the department’s social media site must provide adequate time on a cyclical basis that meets that site’s requirements for responsiveness. Thus, a Facebook site would be updated daily while another site, such as YouTube, might be updated at regular intervals or as materials become available. Sites that are not updated on a regular basis should be deactivated.

2. Comments that conform to the Social Media Posting Policy will be posted on City social media sites. User comments shall not be deleted or removed based on the views expressed. Comments will not be edited.
3. Comments that do not conform to the Social Media Posting Policy should never be deleted from social media sites. Instead, those comments should be hidden, in order to retain the comment in compliance with City record-retention policies. Additionally, moderators should create and retain documentation detailing the reason the comment wasn't posted.
4. Etiquette:
 - a. Before the first contribution or posting on any social media site, it is a good idea to observe the activity on the site for a while before posting to get a feel for the style of contributions, the nature of the content and any "unwritten" rules that other contributors might follow.
 - b. Information will be published in the third person, or if approved by site management, in the first-person only with identification of the author's individual role in the City of Keene. For all posted first-person information, a standard disclaimer must be included to read as follows: "The views expressed on this post are my own and don't reflect the views of my employer."
 - c. Keep calm: don't pick fights by escalating heated discussions but be conciliatory, respectful and quote facts to lower the temperature and/or correct any misrepresentations. Never contribute to a discussion if you are angry. Leave it, calm down and return to it at a later date when you can contribute in a calm and rational manner. Remember, this is business, not personal.
 - d. Personal judgment: if you feel even slightly uneasy about something you are about to publish, then the chances are you shouldn't do it. Remember, the information you publish will be visible to other web users for a long time. If in doubt, discuss it with your supervisor first.
 - e. Respect: don't use ethnic slurs, personal insults, obscenity or engage in any conduct that would be unacceptable in the City of Keene workplace or prohibited by the City's personnel policies. Always consider others' privacy and avoid discussing topics that may be inflammatory (e.g. politics and religion).
 - f. Personal privacy: avoid publishing personal contact details where they can be accessed and used widely by people you did not intend to see them. It is better to contact an individual outside the collaborative space if you want to take something off-line.
5. Moderation: The objective of moderating content before it is published is two-fold:
 - a. to ensure that only suitable content is published into a channel associated with the

City of Keene.

- b. to ensure comments made on blogs are clear and appropriate to the content/subject matter of the blog in question.

Moderation should be used by a department to ensure that content is appropriate for the specified site.

- 6. Engagement: To encourage engagement and increase transparency, it is the City of Keene's intent to leverage social media as a method of two-way communication. To that end, when appropriate resources are available, comment and forum features will be activated to allow users to make comments, ask questions or request services.
- 7. When activated, comments and forums should be reviewed twice a day, before noon and before 5 p.m unless otherwise determined subject to the approval of the Department Director and/or City Manager.
- 8. Staff will assess the content of each post or comment to determine it meets the standards described in the Social Media Posting Policy or if it requires a response from the City.
- 9. When a response to a comment is appropriate, site moderators should reply in a timely manner. If an answer is not immediately known, staff should work as quickly as possible to find the answer and post a response.
- 10. When disagreeing with others' opinions or providing comments, be sure the comments are meaningful, respectful, factual and relevant to the topic.
- 11. Posts or comments requiring a service request will be submitted to the appropriate department.
- 12. City of Keene social media sites will link to other City of Keene sites and/or sites approved by a Department Director or their designee. All City of Keene social media sites will be displayed on the City's main webpage for easy access by users.
- 13. Group Ownership: Departments must identify specific users who control/maintain social media sites with group ownership. This will include identification of individuals (username and password) with permission to use the site. When multiple individuals can post to the same site, they must identify themselves unless exempted by departmental procedures.
- 14. Individual departments that need additional guidance beyond what is in this Standard Operating Procedure may create a departmental social media usage procedures addendum that is consistent with this overall City procedure. Any department-specific usage or prohibitions should be included in the addendum.

E. SUPPORTING SOCIAL MEDIA

- 1. It is the responsibility of the Department Director to ensure that employees are aware of these guidelines for creating and maintaining social media sites. Carrying out the

procedures outlined may be the responsibility of departmental public information staff or another staff member designated by department management.

2. All City of Keene social media sites must adhere to all applicable federal, state and local laws, regulations and policies, including all IT and City Records Management policies and other applicable City policies. The department's designated social media moderator is responsible for ensuring those policies are followed and records are properly retained and/or disposed of.
3. Texas Public Information Act and e-discovery laws and policies apply to social media content and, therefore, content must be able to be managed, stored and retrieved to comply with these laws.
4. The Public Information Officers may notify Department Directors when portions of the Social Media Standard Operating Procedures are not followed including violation of the policy, unprofessional use of the resource, lack of use or disinterest by the public, or a department's failure to maintain the site.

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7.10 PROHIBITION OF TAPE, VIDEO, & DIGITAL RECORDING

Origination November 1, 2018
Revised January 16, 2025

The City seeks to operate in an atmosphere of trust and confidence among employees. This trust and confidence can be damaged if employees make a tape, video, digital or other recordings of their coworkers, particularly if those recorded are unaware they are being recorded. Moreover, recording conversations in such a manner may constitute a crime in certain circumstances.

Therefore, with the exception of messages left on voice mail or recordings made on behalf of the City during the course of City business such as City Council meetings and training classes, it is the City's policy to prohibit employees from making a tape, digital or other recordings in the workplace.

Exceptions to this policy must be authorized in advance by the City Manager. If an exception is authorized, the employee(s) being recorded will usually be informed of the recording in advance. An exception is made for Police Department employees who are governed by a Police Department General Order and state law.

Employees who violate this policy are subject to disciplinary action, up to and including termination.

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7.11 CELL PHONES, CAMERAS, & OTHER DEVICES

Origination November 1, 2018

Revised January 16, 2025

Phones & Other Devices. Personal calls and texts during work time must be brief and kept to a minimum. Cell phones and other devices must be on silent or vibrate mode while at work unless your supervisor approves otherwise. Use of cell phones and other devices must not interfere with job duties or work performance. Excessive or disruptive personal calls, texts, etc. or other violations of this policy, will result in disciplinary action.

Voice Mail. From time to time, especially when you are on vacation, business trips, a leave of absence or otherwise absent from work, your supervisor or another employee may listen to your voicemail messages to better serve our citizens and to make sure City business is performed timely. Employees have no expectation of privacy in connection with any message left on a City cell phone or on its voice mail system. Your outgoing voicemail message should be updated to let callers know when you are absent from work.

Cameras. Employees may not take unauthorized pictures or videos at work or while conducting City business. Under no circumstances may cameras be used to violate the City's EEO and Prohibited Harassment Policy, to invade anyone's privacy, or to photograph confidential records or other information. Photographs and video of City property, buildings, equipment, furnishings, citizens, coworkers, and others with whom you come into contact as a result of your duties for the City may not be shared or posted to personal web pages, blogs, social websites or any other graphical publication without the prior written consent of your Director and/or the City Manager unless doing so is part of your official City job responsibilities.

Driving with a Cell Phone. Employees are responsible for putting safety first whenever driving. While on City business and whenever driving a City vehicle, employees are not to take or make cell phone calls, texts, or use other phone features, other than GPS, while driving unless using a handsfree device. Safety must always be the employee's first priority when driving.

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7.12 BULLETIN BOARDS

Origination November 1, 2018
Revised January 16, 2025

Only City-related items may be posted on City bulletin boards. The City uses its bulletin boards to post official City matters such as legally required posters and notices, safety rules and related information, City and Departmental memos and announcements, job openings, new policies, and changes to existing City policies. Employees are responsible for regularly checking and reading the information posted on the bulletin boards located in their work and break areas.

Items of a personal nature or postings of non-City related material are generally not permitted on City bulletin boards. Employees must obtain specific approval from their supervisor and/or Director before posting on any City bulletin board.

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7.13 USE OF CITY PURCHASING CARD

Origination November 1, 2018
Revised January 16, 2025

Cardholders are responsible for and accountable to the City of Keene for all purchases made with the purchasing card and they must adhere to all policies regarding its use. All purchasing card purchases should be for official City business only. It is the responsibility of the employee to ensure that no sales tax is charged on any purchases. The City is exempt and is not required to pay sales taxes. If the employee fails to have the sales tax removed upon initial purchase it is their responsibility to have it corrected.

Any employee who fails to use the purchasing card properly or abuses the use of the purchasing card shall be subject to disciplinary action as listed below, up to and including immediate termination.

The City will aggressively seek restitution for any inappropriate purchases made with the card. All cases of misuse or abuse of the purchasing card will be documented by the Finance Department and forwarded to the City Manager, Human Resources Department, and the Department Head.

A. MISUSE

The following types of card misuse will be reported in writing to the Department Director and Human Resources and subject to penalties referenced below. These are examples and do not constitute a complete listing:

1. Violation of purchasing policies
2. Use of card for personal purchases, including alcoholic beverages
3. Use of card by individuals other than the cardholder
4. Use of card to avoid or evade single or monthly transaction limits
5. Use of card to purchase non-allowable items
6. Splitting transactions at the point of sale in order to evade the single transaction limit
7. A consistent pattern of losing or misplacing receipts and/or failure to provide itemized receipts.
8. Consistently failing to remove sales tax prior to purchase.

B. DISCIPLINARY PROCEDURES

If a single incident of abuse is severe enough, regardless of the amount, the Department Head and Human Resources may skip all of the below steps and immediately suspend the card permanently or immediately terminate the employee.

1. First Offense: The cardholder will receive a verbal warning. The verbal warning shall be issued by the Department Head and/or designee. The Purchasing Card Program Administrator will notify in writing the Department Head and Human Resources of the

abuse.

2. Second Offense: The cardholder will receive a written reprimand and be required to attend purchasing card training. The written reprimand shall be issued by the Department Head and/or designee. The Purchasing Card Program Administrator will notify in writing the Department Head and Human Resources of the abuse.
3. Third Offense: The cardholder will have their purchasing card suspended for one (1) full billing cycle. The Purchasing Card Program Administrator will suspend the purchasing card and notify in writing the Department Head and Human Resources of the suspension of the purchasing card.
4. If another offense occurs after the card is reinstated, the card shall be canceled or suspended up to one (1) year.
5. If abuse continues, further disciplinary action will be taken up to and including termination.

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7.14 TRAVEL & EXPENSE REIMBURSEMENT

Origination November 1, 2018

Revised January 16, 2025

As the City of Keene recognizes the need for travel on the part of its appointed staff, this travel policy will apply to all employees of the City of Keene. Any expenses incurred in connection with their attendance on behalf of the City must be job-related. Every effort will be made to minimize travel costs.

This policy will establish guidelines, limitations, and prohibitions to payment by the City of items related to travel.

This policy is applicable to the following:

1. All employees of the City of Keene.
2. Travel for job-related training.
3. Travel for job-related education, workshops, meetings, seminars or conferences.
4. Travel to testify or make presentations in job-related cases.
5. Travel resulting from being elected to a job-related professional organization.
6. Travel to other cities or agencies to review and evaluate job-related projects or programs.
7. Travel to other cities or agencies for public safety-related investigations or assistance.

A. AUTHORIZATION

The Department Directors must authorize all in-state travel in advance. The City Manager must authorize all out-of-state travel in advance.

B. APPROVED EXPENDITURES

The following guidelines are the basis upon which requests for reimbursement should be submitted. Receipts are required for backup for all expenditures, except when using a meal allowance. Refer to the Travel Voucher Form and instructions located on the form for reimbursement. All Travel Voucher Forms with attached receipts will be submitted to the Department Director no later than five (5) workdays after returning from a trip. The Travel Advance Form and instructions are also located on the shared drive under Forms.

1. **Transportation.** Cost and time should guide employees in selecting the appropriate mode of transportation. (The City will pay for the least expensive mode of transportation unless approved by the City Manager.)
 - a. Air fare - Coach or economy.
 - i. Extra bags will be reimbursed if it is a business necessity
 - ii. Priority seating will be reimbursed if it is a business necessity
 - iii. Priority boarding will not be reimbursed

2. **City/Personal Vehicle.** A City vehicle will be used, if available. Use of a personal vehicle must be approved by the Department Director. If the employee must use his/her personally owned vehicle, an internet mapping source, such as mapquest.com, shall be used to calculate mileage and attached to the request. Use of a personal vehicle shall be reimbursed at the standard mileage rate for business miles driven, as determined annually by the Internal Revenue Service. City credit cards may not be used to purchase fuel for any personal vehicle.
 - a. An employee will not be reimbursed for the cost of public/private transportation between his/her home and place of work. These costs are considered personal commuting expenses.
3. **Car Rental at travel destination -** Rental car services are allowed where it is necessary and where it is most economical considering travel time. Approval to rent a car must be obtained from the Department Director prior to taking the trip. The Department Director may approve the rental of a car if it is determined that public transportation facilities are inadequate or are more expensive than the cost of the vehicle. Costs should be included in the Travel Advance Request form. Employees are expected to obtain the lowest possible rental rates for cars. The employee will sign and accept the liability/collision insurance agreement on the contract. Failure to accept this additional insurance will hold the employee responsible for all claims in the event of an accident.
4. **Taxi/Limousine Service at travel destination -** Ground transportation between airport and hotel or meeting are allowable. Receipts must be furnished for reimbursement purposes.

C. LODGING AND MEALS

Over Night & Day Travel. The total cost of all meals, including tips, snacks, grocery store, etc., will be reimbursed based on www.gsa.gov. When the per day allowance method is used, no receipts are required, and under expenditure or over expenditure is the responsibility of the employee. When a City credit card is used to pay for meals, copies of the detailed receipt showing food purchases and the signature portion of the receipt must be submitted with the expense report. The employee's name must be written on the detailed receipt. If multiple employee's individual meals are paid on one credit card receipt, the names of all employees must be listed on the receipt. The cost of meals and tips paid using a City credit card is limited. One day training classes are not eligible for the full per day meal allowance, but employees may be reimbursed if a lunch is not provided. Reimbursement for lunch at one-day training classes is at the discretion of the Department Director. Conference meals that are a part of your registration will not be reimbursed.

Meals for non-city employee. to be reimbursed the name, position, and reason must be submitted.

Lodging. Expenses for adequate lodging should be appropriate for the purpose of the trip. An employee is expected to make hotel or motel reservations well in advance whenever possible. Reimbursement for lodging will be limited to the minimum number of nights required to conduct

the assigned City business. If an employee's spouse or other family members share lodging, reimbursement to the employee will be limited to the single rate for the most economical room available. All lodging should include the hotel/motel bill with an itemized account of all expenses, including any taxes.

D. REGISTRATION EXPENSES

The City will reimburse actual expenses incurred in registering for a conference or meeting. A receipt must be furnished for reimbursement purposes. Direct and/or advance payment of conference fees by the City is encouraged to take advantage of any discounts available.

E. MISCELLANEOUS EXPENSES

Telephone. Approved calls include the following: Long distance telephone toll charges in connection with official business and one personal call per day will be allowed in order to contact family members (use Inter-Tel, pre-paid phone cards, or cell phone when available).

Parking. Parking fees will be reimbursed to fulfill parking needs while on city business for city vehicles, personal vehicles or rental cars. Receipts must be furnished for reimbursement purposes. Examples are airports, any business office destination or hotel parking garage fees.

Gratuities. Tips for meals are included in the meal allowance. Tips or gratuities on ground transportation shall not exceed fifteen (15) percent of total ground transportation per day. Tips to bell caps or skycaps shall be no more than \$1.00 per bag or box.

F. PROHIBITED EXPENSE ITEMS

The following items are not allowed under this travel policy:

1. Alcoholic beverages or tobacco products.
2. Expenses of spouse and/or children
3. Guests (except in section C above)
4. Laundry
5. Any item of a personal nature (includes movies)
6. Flight insurance

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7.15 POLITICAL ACTIVITY

Origination June 28, 2007
Revised January 16, 2025

City employees will not be appointed or retained on the basis of their political support or activities. City employees are encouraged to vote and to exercise other prerogatives of citizenship consistent with state and federal law and this policy. No City employee is prohibited from becoming a candidate for public office. However, City employees may not:

- a. Use their position or office to coerce political support from employees or citizens.
- b. Use their official authority or influence to interfere with or affect the result of a campaign issue, an election or nomination for public office.
- c. Solicit or receive any contribution to the campaign funds of any candidate, directly or indirectly through an organization or association, for the City Council or take any part in the management, affairs or political campaign of any such candidate; provided nothing herein shall infringe upon the rights of employees to seek office themselves or their constitutional rights to express their opinions or to cast their votes.
- d. Use working hours or City property to be in any way concerned with soliciting or receiving any subscription, contribution or political service to circulate petitions or campaign literature on behalf of an election issue or candidate for public office in any jurisdiction.
- e. Contribute money, labor, time or another valuable thing to any person for City election purposes, except as permitted by law.
- f. Hold an appointive or elective office of public trust where service would constitute a direct conflict of interest with City employment, e.g., City of Keene City Council, Keene ISD, Johnson County. Upon being elected to such an office, an employee must immediately resign or will be dismissed upon failure to do so.
- g. While serving in an official capacity, no employee of the City shall engage in any political activity to influence the nomination, election, or defeat of any candidate for Mayor or Council Member; or campaign for or against the recall of the Mayor or any Council Member.
- h. No candidate for municipal office may solicit the support, the endorsement, or the financial contributions of any City employee.
- i. Participate in any way in any political activity while on duty or while wearing a City uniform or City logo attire except for voting activity.

An employee's political activity, not in violation of this section, shall not be considered in determining his or her compensation, eligibility for promotion or demotion, work assignment, leave or travel request, or in applying any other employment practices to the employee. Likewise,

no employee will be disciplined, terminated, or deprived of his or her employment rights for refusing to participate in such activities.

All employees shall notify their Supervisor when seeking or accepting nomination or election to any public office that provides remuneration for the same. (Art. 16, Sec. 40, Constitution, State of Texas). Engaging in political activities may not be used as a basis or justification for poor workplace performance. Taking office in any elected position within the City shall constitute an immediate and voluntary resignation of any employment with the city.

Violations of this policy will likely result in disciplinary action up to and including termination of employment. Conduct in violation of this policy may also be a violation of applicable law.

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7.16 SOLICITATION

Origination November 1, 2018
Revised January 16, 2025

Solicitation is any act or attempt to advertise, market, or sell any product or service, or to seek employee membership in any organization, or to obtain a donation or contribution.

- A. **Non-Employees Soliciting:** Unless otherwise approved by the City Manager, the City prohibits solicitation and distribution of materials and literature by non-employees on City property and via City equipment (e.g., bulletin boards, social media, an email system) at any time.
- B. **Employees Soliciting:** Unless otherwise allowed by this policy, no employee may solicit other employees while on duty anywhere on City property. No employee may distribute literature while on duty without permission from the employee's Department Head in:
 - 1. working areas at any time, or
 - 2. non-working areas (e.g., restrooms, hallways)

Employees may solicit contributions to charitable or non-profit community, youth, or educational fundraisers so long as it does not cause undue disruption of the work environment. The use of City facilities or equipment (e.g., bulletin boards, email systems) to solicit such contributions requires the prior authorization from the employee's Department Head.

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7.17 PERSONAL APPEARANCE & DRESS CODE

Origination June 28, 2007

Revised January 16, 2025

The City of Keene is a public “service” organization; most employees are in constant contact with the public, citizens, out-of-town guests, potential new residents, the business and professional community, etc. Employees are expected to dress in a manner that is appropriate to a business environment and their specific positions that will represent professionalism and pride in the City of Keene and the citizens they serve. In accordance with department standards or work environment, employees shall maintain a neat, clean, pressed and well-groomed appearance, including clothing that fits properly. This policy is not intended to preclude cultural or religious customs.

This dress policy applies to all employees of the City of Keene including full-time, part-time, temporary, seasonal, and uniformed, and non-uniformed personnel. This policy is not designed to conflict with established uniform or safety codes of individual departments. Supervisors shall administer guidelines that are appropriate for their work units and counsel their employees when necessary.

A. PERSONAL HYGIENE AND GROOMING

Along with professional dress, employees will maintain proper hygiene and grooming. Employees will not use products or perfume that, due to their fragrance, cause discomfort to others. Items that will not be allowed are disruptive/extreme hairstyles, unkempt or unclean hair, hair in a color or shade other than those that occur naturally, and baseball caps other than City issued or part of the employee’s uniform. Facial hair such as beards, mustaches, goatees, sideburns, etc. shall be kept clean and neatly trimmed.

B. JEWELRY & BODY ART

Visible tattoos shall comply with the departmental policy as established by the departmental director; however, no person employed by the City may visually display the following:

1. Tattoos, brands, or scarification anywhere on the body that are, indecent, or racist.
2. Tattoos, brands, or scarification of initials, acronyms, or numbers that represent criminal activity, extremist organizations, or gang activity.
3. Sexist, racist symbols, words/markings, or other symbols, words, or markings that commonly or are likely to elicit a strong negative reaction in the workplace or public or that are inconsistent with the City's values or community relations objectives.
4. Illustrations, references, symbols, acronyms, or the like that denigrate the United States or any subdivision of the government.
5. Tattoos, brands, or scarification which depicts the use or promotes the use of illegal drugs or drug paraphernalia, as prohibited by state law and/or federal law.

No tongue rings, brow rings, facial piercings, ear gauges, or visible belly-button rings are permitted. Persons who have facial piercings or ear gauges upon hire will be required to plug or cover these items during work hours. Department management will work with the employee to approve the appropriate cover for such items. Religious accommodations may be made for some form of body jewelry or piercing but will be discussed with department management and human resources should a religious accommodation be requested by the employee.

The City Manager or designee will make the final determination, in accordance with this policy, as to whether a tattoo, body art, or brand complies with this policy.

C. UNIFORMS

City employees may be required to wear uniforms in the performance of their duties as determined by the department head or City Manager. This may include jeans, shirts, caps, rain gear, all-weather jackets, and steel-toed boots. Special equipment as provided by the police and fire department will be issued according to department policy. Employees should consult departmental policies for any specifics regarding uniform requirements.

Steel-toed boots will be purchased as needed for the employees to a maximum determined by the department. Anything more than the department maximum shall be paid by the employee to the vendor at the time of purchase. If an employee resigns or is terminated before the completion of their probationary period, the employee shall reimburse the City for the boots through a payroll deduction on his/her final paycheck.

Uniforms are the property of the City and all employees are responsible for proper care and use. An employee shall refrain from wearing any portion of the employee's uniform, which displays the City's logo, except when on duty or representing the City, or in route to or from such duty. An employee shall refrain from wearing any attire while off-duty that identifies the person as an employee of the City while engaging in conduct or activity that would discredit the City or the employee.

D. RETURN OF CLOTHING UPON SEPARATION OF EMPLOYMENT

A separating employee will return all City-issued articles before receiving their final paycheck. Any employee who willfully damages or destroys any part of a City-issued uniform must reimburse the City for those items damaged or destroyed. Employees are required to keep uniform articles clean and in good repair. A Department Head may authorize the person to retain certain items that do not contain City logos, are worn beyond use, or are determined to have no value to the City.

E. ATTIRE STANDARDS

Generally, staff who work indoors or in an office are required to wear business casual dress, unless the formal business dress is more appropriate or provided an exemption by the City Manager.

Business professional or City-sanctioned work attire is required to present a professional appearance for meetings, special events, presentations, council meetings, or when

representing the City on special occasions. Examples of appropriate business professional attire include, traditional two or three-piece suit with tie, slacks and sports coat/blazer, dress shirt with collar and tie, dress shoes or boots, pant-suits, blouses/shells, and dresses and skirts of appropriate length for a professional environment.

Casual Friday is the same as business casual except employees may wear jeans (well fitted with no holes, inappropriate markings) and well-kept sneakers. At all times employees are to be dressed professionally.

Appropriate underclothing/undergarments must be worn at all times and undergarments must not be visible to others.

Unusual circumstances, such as weather conditions, special work assignments, medical reasons, worksite conditions and/or non-normal working hours and situations, may be sufficient reasons for the Department director to grant exceptions to the dress standards.

Examples of inappropriate attire:

1. Shorts (except for shorts as part of a uniform)
2. Low-rise or hip-hugger pants or jeans
3. Sweatpants, leggings, or exercise wear
4. T-shirts or Sweatshirts (holiday monogrammed, or silk-screened sweatshirts/T-shirts are allowed during the holiday season on Fridays)
5. Tank tops or spaghetti strap of any variety
6. Dresses, skirts, skorts, split skirts shorter than 4" above the knee
7. Crop tops or clothing that exposes the midriff
8. See-through or excessively tight clothing
9. Capris shorter than mid-calf (hem should hit midway between knee and ankle)
10. Low-cut, backless, shoulder-less dresses
11. Stirrup-pants/leggings unless covered by a top
12. Clothes that do not fit properly (too tight or too baggy)
13. Clothing not in good condition (faded, frayed, having tears or holes)
14. Sneakers (other than on Fridays), Flip Flops, floppy shoes of any kind, and Croc-like sandals
15. Any clothing designs that could be perceived as offensive are prohibited at work

F. EXCEPTIONS TO THE DRESS CODE POLICY

The dress code guidelines will govern normal work situations; however, there may be instances where exceptions may be made such as moving, office reorganization, etc. Supervisors are responsible for ensuring their employees are not abusing the dress code or casual day policy in order for the City to maintain a professional and appropriate working environment and appearance. Casual dress shall be acceptable on Fridays as outlined below.

Jeans and tennis shoes are allowed on Fridays only and must be in good condition (see above).

G. RESPONSIBLE PERSON

Each Department Head is responsible for implementing the dress code and communicating it to their department's employees. Department Heads have the authority to enforce the policy and implement a more restrictive dress code for their departments. Exceptions to dress code may be approved by the Department Head under certain circumstances.

Complaints about the attire of an employee should be directed to the Department Head of the employee in question. The Department Head has the discretion to determine the appropriateness of the employee's attire.

Questions or concerns relating to reasonable accommodation issues or management interpretation questions may be directed to Human Resources.

H. PROCEDURE

Employees are expected to abide by the provisions of this policy. A supervisor should meet with employees not appropriately dressed to discuss the matter. The employee will be required to change to appropriate clothing at the supervisor's request. If it is necessary to leave work to do so, employees are required to use their own leave time and return to work in appropriate dress as directed by their supervisor. If no leave time is available, the absence will be without pay. Repeated incidents of inappropriate dress may result in disciplinary action up to and including termination.

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7.18 OUTSIDE EMPLOYMENT

Origination August 23, 2018
Revised January 16, 2025

The City recognizes that employees may seek additional employment during their off hours to earn additional income or to develop new skills and experience. Despite any outside employment, the job with the City of Keene is considered the primary employment responsibility for all full-time employees. The City does not consider outside employment to be an excuse for poor job performance, tardiness, absenteeism, or for refusal to work overtime or travel when required by the City. Outside employment can cause conflict of interest issues in some cases. For these reasons, the City of Keene restricts outside employment of full-time employees as specified in this section.

A. DEFINITION

For purposes of this policy, outside or self-employment includes a job, activity, or enterprise (including self-employment) which constitutes a form of employment or business outside the responsibilities of employment with the City of Keene. This policy is not intended to cover volunteer work with a non-profit organization, such as United Way, American Heart Association, faith-based activities or other similar activities where compensation is neither expected nor paid in the ordinary course of operations. However, volunteer activities that might similarly distract from an employee's ability to perform their job with the City are also prohibited.

B. GENERAL GUIDELINES

Subject to written approval of the Department Director and City Manager, a City employee is permitted to engage in any business, trade, occupation, or profession that does not:

1. Bring the City of Keene into disrepute;
2. Reflect discredit upon the employee as an employee of a department or the City;
3. Interfere with the performance of the employee's duties for the City of Keene;
4. Present a conflict of interest;
5. Result in misuse of City property or funds;
6. Result in use of the City position for personal gain; or
7. Violate any department policy or procedure.

Department Directors are prohibited from engaging in any form of outside employment except as may be specifically approved in writing by the City Manager.

An employee will not be covered by the City's workers' compensation insurance while working for another employer or while self-employed.

Approval for outside or self-employment as set out in this policy does not authorize an employee on FMLA leave, sick leave, disability leave, workers' compensation leave, or an unpaid leave of absence, to engage in any outside or self-employment. Under no circumstances may an employee

on FMLA leave, sick leave, disability leave, workers' compensation leave, or an unpaid leave of absence, engage in any outside or self-employment, as defined in this policy, unless expressly authorized in writing by the Department Director.

C. APPROVAL PROCESS

An employee must obtain permission in writing from his appropriate management chain of command through the Department Director before accepting any other employment or engaging in any other business. Permission granted is subject to revocation in the event of a subsequent known or occurring conflict with this policy.

The request for permission to engage in outside employment must include the place where the work will be performed, a description of the type of business, the work to be performed, and the hours and days of work.

An employee who is working another job at the time of hire and who intends to continue the other employment must so advise and receive approval to continue the outside employment.

A copy of the written request and approval must be submitted to Human Resources for inclusion in the employee's personnel file.

D. REVOKING PERMISSION

Permission granted for outside employment is subject to revocation in the event of subsequent known or occurring conflict with this policy or at the discretion of the Department Director and Human Resources.

City of Keene Personnel Policies and Procedures

Chapter 7: General Rules and Conduct

7.19 VISITORS IN THE WORKPLACE

Origination November 1, 2018

Revised January 16, 2025

To provide for the safety and security of City employees and property, only authorized visitors are allowed in the workplace. The City's prohibition against unauthorized visitors helps to maintain safety standards, protects against theft, ensures the security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

Absent extraordinary circumstances and/or the express approval of the appropriate Director, children are not permitted to accompany employees to work. This policy is not meant to prohibit children from, on occasion, visiting their parents at work. Such visits, however, must occur during the employee's scheduled break or lunch period, and may not negatively impact the work environment of the City or other employees.

Employees are responsible for the conduct and safety of their visitors. If you see an unauthorized visitor on the premises, notify your supervisor or Director immediately. When a City facility is open to the public after normal business hours for the purpose of a public meeting or gathering, assigned City staff will be primarily responsible for all non-staff ingress and egress to the facility and securing the building after the meeting or gathering.

City of Keene Personnel Policies and Procedures

Chapter 7: General Rules and Conduct

7.20 DRUG & ALCOHOL USE

Origination June 28, 2018
Revised January 16, 2025

It is the desire of the city to provide an alcohol and drug-free, healthy, productive and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory and safe manner.

A. PROHIBITION AGAINST ALCOHOL AND ILLEGAL AND UNAUTHORIZED DRUGS

While on city premises, while on duty, while conducting city-related business or other activities off premises, while driving a city-owned or leased vehicle, or while operating or using other city-owned or leased property or equipment, no employee may use, possess, distribute, sell, or be under the influence of alcohol (except under the limited circumstances described below), inhalants, illegal drugs, including drugs which are legally obtainable but which were not legally obtained, and prescribed or over-the-counter drugs which are not being used as prescribed or as intended by the manufacturer.

On-duty and pre-duty. Reporting for, or remaining on, duty requiring the performance of safety-sensitive functions is prohibited under the following conditions:

1. While having a breath alcohol concentration of greater than 0.00 as indicated via breath test;
2. While using alcohol; or
3. Within four (4) hours after using alcohol.

Prohibited drug use. An employee shall not report for duty or remain on duty when using or after use of any controlled substances, except when the use is pursuant to the instructions of a licensed medical practitioner who has advised the employee that the substance will not adversely affect the employee's ability to safely operate a city-owned or leased vehicle, or while operating or using other city-owned or leased property or equipment.

B. PROHIBITION AGAINST ILLEGAL AND UNAUTHORIZED DRUG-RELATED PARAPHERNALIA

This policy also prohibits the use, possession, distribution, and sale of drug-related paraphernalia while on city premises, while on duty, while conducting city-related business or other activities off premises, while driving a city-owned or leased vehicle, or while operating or using other city-owned or leased property or equipment. Drug-related paraphernalia includes material and/or equipment designed for use in testing, packaging, storing, injecting, ingesting, inhaling or otherwise introducing illegal or unauthorized drugs into the body.

C. PERMISSIVE USE OF PRESCRIBED OVER-THE-COUNTER DRUGS

The legal use of prescribed and over-the-counter drugs are permitted while on city premises, while on duty, while conducting city-related business or other activities off premises, while driving a city-owned or leased vehicle, or while operating or using other city-owned or leased property or equipment only if it does not impair an employee's ability to perform the essential functions of the job (or operate the vehicle, property or other equipment) effectively and in a safe manner that does not endanger the employee, citizens or other individuals in the workplace. Examples of impairment include, but are not limited to, slurred speech, drowsiness, dizziness, confusion, or feeling shaky.

D. POLICE AND FIRE DEPARTMENT EMPLOYEES

Certain city Police Department employees may be required to be in possession of alcohol and/or illegal drugs in carrying out their job duties. Such employees will be exempted from certain portions of this policy under certain limited conditions. Additional guidelines may be established by Police Department operating procedures.

E. MANDATORY DISCLOSURE BY EMPLOYEE

Employees taking prescription medication and/or over-the-counter medication shall report such use to either their Department Director or to the Human Resources Administrator if there is a reasonable likelihood the medication will impair the employee's ability to perform the essential functions of his or her job (or operate a vehicle, property or other equipment, if applicable) effectively and in a safe manner that does not endanger the employee, citizens or other individuals in the workplace. Examples of impairment include, but are not limited to, slurred speech, drowsiness, dizziness, confusion, or feeling shaky.

F. ON-CALL EMPLOYEES

Employees scheduled to be on call are expected to be fit for duty upon reporting to work. Any employee scheduled to be on call, and who is called out, is governed by this policy. Sometimes, an employee who is not scheduled to be on call may nevertheless be called out. If this or any other situation occurs where the employee called out is under the influence of alcohol or has a presence of drugs in the system, such that reporting to work would result in a violation of this policy, the employee must so advise the appropriate supervisor on duty. The employee will not be required to report to work.

G. MANDATORY REPORTING OF ARRESTS AND CONVICTIONS

Employees must notify their immediate supervisor and the Department Director, in writing, of any alcohol or drug-related arrest and/or convictions (including a plea of nolo contendere) or deferred adjudication, for a violation occurring off duty and/or in the workplace no later than twenty-four (24) hours after the arrest and/or conviction.

H. OFF-DUTY CONDUCT

The city may take corrective action, up to and including termination of employment, if an employee's off-duty use of or involvement with drugs or alcohol is damaging to the city's reputation or business, is inconsistent with the employee's job duties, or when such off-duty use or involvement adversely affects the employee's job performance. Any employee reporting to work under the influence of illegal drugs or alcohol may be disciplined, up to and including termination.

I. REHABILITATION/TREATMENT

It is the city's desire to assist employees who voluntarily request assistance with alcohol or drug dependency. For city support and assistance, however, an employee must acknowledge the problem and seek and accept counseling and/or rehabilitation before it impairs job performance and/or jeopardizes the employee's employment.

Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of, corrective action may request approval to take a leave of absence to participate in a rehabilitation or treatment program. (An employee may not enroll in a rehabilitation or treatment program in lieu of corrective action.)

The employee is responsible for all costs associated with any rehabilitation or treatment program.

During time off for a city-approved rehabilitation or treatment program, the employee shall use and exhaust any available vacation leave, sick leave, and compensatory time off.

J. POLICY VIOLATIONS

Violations of this policy will generally lead to corrective action, up to and including immediate termination of employment. The Police and Fire Departments may have stricter disciplinary rules regarding a violation of this policy. Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with their supervisor or the Human Resources Administrator to receive assistance or referrals to appropriate resources in the community.

K. DRUG AND ALCOHOL TESTING

Types of Tests. Testing may include one or more of the following: urinalysis, hair testing, breathalyzer, intoxilyzer, blood, or other generally-accepted testing procedure.

Testing of Applicants. All applicants to whom a conditional offer of employment has been made will be required to submit to testing for alcohol and illegal and unauthorized drugs. A positive test result, refusal to test, or attempts to alter or tamper with a sample or any other part of the test, will render the applicant ineligible for consideration of employment or future employment with the city.

Testing of Employees.

1. Employees may be tested for alcohol and/or illegal and unauthorized drugs for the following:
 - a. After a workplace injury or accident or “near miss;”
 - b. When reasonable suspicion exists; or
 - c. In connection with any required treatment or rehabilitation.
2. Police and Fire Department employees are also subject to any applicable departmental rules and regulations regarding illegal and unauthorized drug and alcohol testing.
3. For purposes of this policy, reasonable suspicion is a belief based on articulable observations (e.g., observation of alcohol or drug use, apparent physical state of impairment, incoherent mental state, changes in personal behavior that are otherwise unexplainable, deteriorating work performance that is not attributable to other factors, a work-related accident or injury, evidence of possession of substances or objects which appear to be illegal or unauthorized drugs or drug paraphernalia) sufficient to lead a supervisor to suspect that the employee is under the influence of illegal or unauthorized drugs or alcohol. Supervisors who refer an employee for reasonable suspicion testing shall contact Human Resources and document the specific factors that support reasonable suspicion testing (e.g., the who, what, when, where of the employee’s behavior and other symptoms, statements from other employees or third parties, and other evidence supporting the reasonable suspicion testing).
4. Tests will be paid for by the city. To the extent possible, testing will normally be done during the employee’s normal work time.
5. Any employee who refuses to be tested, or who attempts to alter or tamper with a sample or any other part of the testing process, will be subject to corrective action up to and including termination.
6. A positive test result is a violation of this policy and may result in corrective action up to and including termination of employment. Any employee who is terminated for violation of this policy is ineligible for future employment with the city.
7. The city has additional obligations when testing for controlled substances and alcohol for those employees regulated by the U.S. Department of Transportation. Please see the city’s Drug and Alcohol Policy for DOT Employees for additional information.

Testing Procedures.

1. All testing must normally be authorized in advance by both the employee’s supervisor and the Human Resources Administrator or his or her designee. If the supervisor, or his or her designee, is unavailable within a reasonable period of time, the Human Resources Administrator or his or her designee may, with sole discretion, authorize the testing of an employee. If the Human Resources Administrator, or his or her designee, is unavailable within a reasonable period of time, the Department Director may, with sole discretion, authorize the testing of an employee. For reasonable suspicion testing, testing may not be authorized without the supervisor’s documentation of the articulable factors

which led the supervisor to suspect that the employee is under the influence of illegal or unauthorized drugs or alcohol. Testing should be arranged as soon as possible after the supervisor's articulable observations.

2. If an employee's conduct resulted in a workplace accident, injury or "near miss," or reasonable suspicion exists to believe that the employee has violated this policy, the employee shall be provided with transportation to the testing facility. A supervisor or other designated city representative may be required to stay with the employee during the testing process. The city may, in its discretion, reassign the employee or put the employee on administrative leave with pay until the test results are received. The city shall make arrangements to have the employee transported home after the testing if necessary.
3. All substance abuse testing shall be performed by an approved laboratory or health care provider chosen by the city. All positive test results shall be subject to confirmation testing.
4. Test results shall be maintained in a confidential file separate and apart from the employee's personnel file. Any medical-related information will be confidential and accessible only by Human Resources; supervisors and managers on a need to know basis.

City of Keene Personnel Policies and Procedures

Chapter 7: General Rules and Conduct

7.21 DRUG & ALCOHOL USE FOR DOT EMPLOYEES

Origination June 28, 2007
Revised January 16, 2025

City employees who drive a commercial motor vehicle (CMV) requiring a Commercial Driver's License (CDL) as part of their job duties are subject to alcohol and drug testing as required by the U.S. Department of Transportation (DOT) and the Federal Motor Carrier Safety Administration and as outlined in this policy. The employee's supervisor or Human Resources will advise the employee if the employee is subject to DOT testing and the terms of this policy. Employees who are not required by DOT to hold a CDL are not subject to this policy. Applicants for employment for a position requiring a CDL are also subject to testing under this policy.

Employees covered by this policy are also required to comply with the city's Drug and Alcohol Use Policy. In other words, this DOT Drug and Alcohol Policy is in addition to, not in lieu of, the provisions of the city's general Drug and Alcohol Use Policy. DOT tests will be completely separate from non-DOT tests in all respects. DOT tests take priority and will be conducted and completed before a non-DOT test is begun. All drug and alcohol testing performed under this DOT Policy will comply with applicable DOT procedures. If this policy conflicts with DOT regulations in any way, the DOT regulations will govern.

An employee subject to the provisions of this policy may be a person employed by the city, a contractor engaged by the city or an employee of such contractor. Any city employee who is required to obtain and maintain a CDL drivers' license as part of their position is subject to testing provisions of this policy. Employees required by DOT to hold a CDL, due to the type of equipment they operate, are subject to this policy. Employees who hold these jobs are required to carry their CDLs when they are at work or are operating city equipment.

A. PROHIBITED USE

On-duty and Pre-duty Use. Reporting for, or remaining on, duty requiring the performance of safety-sensitive functions is prohibited under the following conditions:

1. While having a breath alcohol concentration of greater than 0.00 as indicated via breath test;
2. While using alcohol; or
3. Within four (4) hours after using alcohol.

Use Following an Accident. An employee required to take a post-accident alcohol test pursuant to this policy is prohibited from using alcohol for eight (8) hours following the accident, or until undergoing a post-accident alcohol test, whichever occurs first.

B. PROHIBITED DRUG USE

Illicit use of drugs by safety-sensitive drivers is prohibited both on and off duty. An employee may not report for duty or remain on duty when using or after use of any controlled substances, except when the use is pursuant to the instructions of a licensed medical practitioner who has advised the employee that the substance will not adversely affect the employee's ability to safely operate a CMV. An employee may not report for duty, remain on duty or perform a safety-sensitive function if the employee tests positive for controlled substances or has adulterated or substituted a test specimen.

C. REQUIRED ALCOHOL AND DRUG TESTS

DOT requires the following testing for covered drivers: pre-employment, post-accident, random, reasonable suspicion, return-to-duty, and follow-up testing. Before conducting any required DOT testing, the city will notify the driver that the alcohol or drug test is required by DOT regulations.

Pre-employment Testing. Drug and alcohol tests will be conducted after a conditional offer of employment is made, but before actually performing safety-sensitive functions for the first time. These tests are also required when employees are promoted, demoted or transferred into a safety-sensitive driver position.

Post-Accident Testing. Post-accident drug and alcohol testing must be conducted as soon as practicable on all individuals performing safety-sensitive functions with respect to a vehicle following an occurrence involving a CMV operating on a public road in commerce, as follows:

1. When the employee is issued a moving traffic violation citation within eight (8) hours of the occurrence and one or more of the vehicles involved is disabled and must be towed from the scene;
2. When the employee is issued a moving traffic violation citation within eight (8) hours of the occurrence and any person involved in the accident is injured to the extent that he/she requires and receives immediate medical treatment away from the scene of the accident; or
3. In an accident involving a fatality, testing will be performed on anyone who was performing safety-sensitive functions with respect to the vehicle.

An employee subject to post-accident testing must remain readily available for such testing or will be deemed by the city to have refused to test. Nothing in this policy shall be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary medical care.

In post-accident situations, the city may substitute a blood or breath alcohol test for a urine drug test, so long as the test is performed by state or local law enforcement officials using procedures required by their jurisdictions, provided such test results are received directly from the local

jurisdiction or the driver. A positive post-accident test administered by law enforcement will result in the same action as a positive post-accident test performed at the city's behest.

Post-Accident Alcohol Testing. If alcohol testing cannot be administered within two (2) hours of one of the above-listed occurrences, a written statement explaining why the alcohol test was not promptly administered must be provided to the Human Resources Administrator by the appropriate supervisor. If alcohol testing cannot be administered within eight (8) hours after the occurrence, the city will cease attempts to administer an alcohol test and document the reasons the alcohol test was not administered. This report must be promptly forwarded to the Human Resources Administrator.

Post-Accident Drug Testing. A driver will be drug tested as soon as practicable but not later than thirty-two (32) hours after one of the above-listed occurrences. If the driver is not drug tested within thirty-two (32) hours, the appropriate supervisor must prepare a report documenting the reason why and promptly forward the report to the Human Resources Administrator.

Reasonable Suspicion Drug Testing. Reasonable suspicion drug testing is conducted when a trained supervisor has reason to believe that an employee is in violation of this policy. The reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee; the observations may also include indications of the chronic and withdrawal effects of controlled substances. The supervisor must consult with the Department Director (or designee) and affirm the basis of the suspicion. If the Department Director concurs, the employee will be required to undergo testing only after consultation with the Human Resources Administrator. A written report of the reasonable suspicion observations must be prepared by the supervisor(s) who made the observation within twenty-four (24) hours of the observed behavior or before the results of tests are released, whichever is earlier. This report must be promptly forwarded to the Human Resources Administrator.

Reasonable Suspicion Alcohol Testing. Reasonable suspicion alcohol testing is permitted only if the reasonable suspicion observation is made during, just before, or just after, the period of the work day the employee is required to be in compliance with this policy. An employee may be directed to undergo reasonable suspicion testing only while the employee is performing, just before performing, or just after performing safety-sensitive functions. If alcohol testing cannot be administered within two (2) hours after the reasonable suspicion observation, a written statement that explains why the alcohol test was not promptly administered must be given to the Human Resources Administrator. If alcohol testing cannot be administered within eight (8) hours after the observation, the city will cease attempts to administer an alcohol test and the appropriate supervisor must immediately document the reasons that the alcohol test was not administered; this report must be promptly forwarded to the Human Resources Administrator.

Notwithstanding the absence of a reasonable suspicion alcohol test under this policy, an employee may not report for duty or remain on duty requiring the performance of safety-sensitive functions while the employee is under the influence of or impaired by alcohol, as shown by the behavioral, speech and performance indicators of alcohol misuse.

Random Testing. Drivers are selected for random, unannounced drug and alcohol testing using a scientifically valid method, such as a random number table or a computer-based random number generator that is matched with the employee's Social Security number, payroll identification number, or other comparable identifying numbers. Each driver subject to this policy will have an equal chance of being tested each time random selections are made. The number of drivers randomly selected will be in accordance with applicable DOT regulations.

Each driver randomly selected for testing will be tested during the selection period. Dates and times for random testing are unannounced and are spread reasonably throughout the calendar year. Each driver selected for random testing must proceed to the test site immediately after notification; if, however, the driver is performing a safety-sensitive function, other than driving a CMV, at the time of notification, the city will instead ensure that the driver ceases to perform the safety-sensitive function and proceeds to the testing site as soon as possible. A driver will be randomly tested for alcohol just before, during, or just after performing, safety-sensitive functions; random testing for drugs does not have to be conducted in immediate time proximity to performing safety-sensitive functions.

Return-to-duty and Follow-up Testing. Return-to-duty tests are conducted when a driver who has violated DOT's prohibited drug and alcohol standards returns to performing safety-sensitive duties. Follow-up tests are unannounced, and at least six (6) tests must be conducted in the first twelve (12) months after a driver returns to duty; follow-up tests may be extended for up to sixty (60) months following a driver's return to duty. Drug and alcohol tests must be negative. The driver will pay all costs associated with return-to-duty testing. When applicable, the city will follow all applicable DOT regulations in requiring return-to-duty and follow-up testing. The city is not, however, required to hire an applicant or continue the employment of a driver who has violated DOT drug and alcohol regulations, or this policy and it is the policy of the city not to do so. Thus, return-to-duty and follow-up tests are generally applicable only for those seeking assistance as set out below.

Refusal to Test. An employee who refuses to be tested in any of the above circumstances, who obstructs the testing process, or who tampers/alters a specimen, will not be permitted to perform or continue to perform safety-sensitive functions and will likely be terminated. An applicant who does one of these prohibited acts will not be hired. Except in the case of pre-employment testing, a refusal to test includes the failure to appear for testing within a reasonable time, as well as failure to remain at the testing site until the testing process is complete. Failure to test also includes the failure to provide the required sample with no adequate medical explanation, and the failure to cooperate with any part of the testing process (e.g., refusing to empty pockets when asked to do so, behaving in a confrontational way that disrupts the collection process, or failure to undergo a medical exam or evaluation as directed by the physician medical review officer (MRO) as part of the verification process).

Additional Information About Alcohol Testing

1. **Consequences of a Positive Alcohol Test.** An employee who tests positive for alcohol

shall be removed from safety-sensitive functions and may be terminated.

2. **Alcohol Testing Procedures.** A trained breath alcohol technician will conduct alcohol tests. If the alcohol concentration is greater than 0.00, a second confirmation test will be conducted in accordance with DOT regulations, the results of which will determine any actions taken. Any result of greater than 0.00 alcohol concentration is considered a “positive” test. The second, confirmation test results determine if the employee is in violation of this policy. Testing procedures that ensure accuracy, reliability, and confidentiality of test results will be followed pursuant to DOT regulations.

Additional Information about Drug Testing

1. **Drug Testing Procedures.** Drug testing is conducted by analyzing a driver’s urine specimen at a lab certified by the U.S. Department of Health and Human Services. The driver provides a specimen in a location that affords privacy and the “collector” seals and labels the specimen, completes a chain of custody document, and prepares the specimen and accompanying paperwork for shipment to a drug-testing lab. “Split” urine specimens provide drivers with an opportunity for a second test if needed. If the driver challenges the validity of the test, then the employee has seventy-two (72) hours to request that the split specimen be sent for testing to another certified lab approved by the city’s Human Resources Administrator. The second test will be at the driver’s own expense.
2. **Drugs Tested For.** DOT requires testing for marijuana (THC), cocaine, amphetamines, opiates – opium and codeine derivatives (phencyclidine (PCP) and opiates), and semi-synthetic opioids (hydrocodone, oxycodone, hydromorphone, oxymorphone). A screening test is performed first. If it is positive for one or more of these drugs, then a confirmation test is performed. Whenever the terms “drug,” “drugs” or “controlled substances” are used in this policy, they refer to the substances listed above. The city will not test for any other substances under this policy. The city may, however, test for other controlled substances pursuant to its general Drug and Alcohol Use Policy.
3. **Review of Drug Test Results.** All positive drug test results are reviewed and interpreted by a physician medical review officer (MRO) before they are reported to the city. If the lab reports a positive result to the MRO, the MRO will contact the driver (either in person or by phone) and will conduct an interview to determine if there is an alternative medical explanation for the drug(s) found in the driver’s urine specimen. If the driver provides appropriate documentation and the MRO determines that it is a legitimate medical use of the prohibited drug(s), the drug test result is reported as a negative to the city.
4. **Consequences of a Positive Drug Test.** A driver will be removed from safety-sensitive duties and placed on administrative leave if the test returns a positive for drugs. The removal cannot take place until the MRO has interviewed the driver and determined that the positive test resulted from the unauthorized use of a controlled substance. A confirmed positive drug result will result in termination of employment.

D. CONFIDENTIALITY

Test results may be released only to the driver, designated City officials, a substance abuse professional, laboratory officials or a medical review officer. Records will also be made available to a subsequent employer or other identified person upon the driver's specific written request. Test results will not be released to others except as required by law or expressly authorized in the applicable DOT regulations (e.g., the decision maker in a lawsuit, appeal or administrative proceeding initiated by or on behalf of the driver and arising from a positive DOT drug or alcohol test or refusal to test; this includes workers' compensation and unemployment proceedings.) All test results will be kept in a confidential file by the Human Resources Administrator. Management and supervisory personnel who are authorized to have access to alcohol and drug testing results must maintain complete confidentiality regarding this information. City employees who make a reasonable suspicion observation or who witness an accident must also maintain confidentiality. Breach of confidentiality relating to test results, or any other related matters, will likely result in disciplinary action, up to and including termination of employment.

E. RECORD RETENTION

The city will maintain and retain records under this policy as mandated by DOT regulations.

F. NOTIFICATION TO APPLICANTS/EMPLOYEES OF POSITIVE TEST RESULTS

The city will notify applicants of the results of a pre-employment drug test if the applicant requests such results within sixty (60) calendar days of being notified of the disposition of the employment application. The city will notify an employee of the results of random, reasonable suspicion and post-accident drug tests if the test results are confirmed positive, and also which controlled substance(s) verified positive after the MRO confirms the positive. The city will also make reasonable efforts to contact and request each driver who tested positive to contact and discuss the results of their drug test with an MRO who has been unable to contact the driver. The city will immediately notify the MRO that the driver has been notified to contact the MRO within seventy-two (72) hours.

G. EMPLOYEE ADMISSION OF DRUG/ALCOHOL USE

An employee who admits to alcohol misuse or drug use must do so in accordance with the city's general Drug and Alcohol Use Policy; provided, however, the employee may not self-identify in order to avoid the testing requirements of this DOT policy. Further, the employee must make the admission prior to performing a safety-sensitive function, i.e., prior to reporting for duty. The employee may not perform a safety-sensitive function until the city is satisfied that the employee has been evaluated and has successfully completed educational or treatment requirements in accordance with the city's general Drug and Alcohol Use Policy. A drug and alcohol abuse evaluation expert, i.e., an EAP professional, a substance abuse professional or a qualified drug and alcohol counselor, will determine successful completion. Prior to the employee performing

safety-sensitive functions, the employee must undergo a return to duty alcohol and/or drug test with a negative test result.

H. SAFETY SENSITIVE FUNCTIONS

For purposes of this policy, safety-sensitive function or duty means all the time from the time a driver begins to work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work. Safety-sensitive functions/duties include:

All time at a city, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the city;

All time inspecting equipment as required by applicable DOT regulations or otherwise inspecting, servicing, or conditioning any CMV at any time;

All time spent at the driving controls of a CMV in operation;

All time, other than driving time, in or upon any CMV;

All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and

All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

I. TRANSPORTATION TO TESTING SITE

With the exception of pre-employment and random testing, employees will be driven to the testing facility by a supervisor. The supervisor will remain with the employee during the testing process. The city will make arrangements to have the employee transported back to the city or home, as appropriate, after the testing is complete.

City of Keene Personnel Policies and Procedures

Chapter 8: Complaint Resolution

8.1 CORRECTIVE ACTION PROCESS

Origination June 28, 2007
Revised January 16, 2025

An employee who violates established city or departmental values, rules, policies, procedures or a code of conduct shall be subject to corrective action. An employee who fails to perform at a satisfactory level shall be subject to corrective action. The city reserves the right to dismiss an employee at any time the city determines that continued employment of an employee is not in the city's best interest. In every situation where corrective action is taken, the action taken should be commensurate with the specific offense or violation for which it is intended and should take into consideration the specific situation and the previous performance record of the individual involved.

A. DOCUMENTATION

Every corrective action taken, with the exception of a verbal reprimand or counseling, shall be in written format and forwarded to Human Resources for inclusion in the employee's personnel file. Proper documentation ensures that rules are enforced equitably and in accordance with stated policy, without regard to race, color, sex, religion, national origin, age genetic information, disability, veteran status or any other protected status. Errors or defects in the form or preparation of written notices of corrective action shall not nullify the action.

Prior to a termination, demotion, or suspension without pay of a regular employee, (not a probationary employee) written notice shall be given to the employee stating:

1. The reasons for the discipline in sufficient detail to enable the employee to respond;
2. The type of action to be taken; and
3. The employee's right to appeal.

B. TYPES OF CORRECTIVE ACTION

The City of Keene does not follow a progressive corrective action policy. In making a decision as to what corrective action should be taken, a supervisor should consider such factors as the type and severity of the offense(s), the employee's work performance record and any mitigating circumstances. Depending on the circumstances of each individual case, corrective action may consist of one or more of the following:

1. **Verbal Reprimand.** A verbal reprimand is best suited for a minor rule infraction or incident of substandard performance. No formal documentation shall be submitted for inclusion in the employee's personnel file.
2. **Written Reprimand.** The written reprimand is used as a formal warning that future corrective action may occur if the behavior is not corrected.

3. **Disciplinary Probation.** The purpose of this step is to allow the employee a stated period of time to demonstrate improvement on a specific problem(s) specified at the time the employee is placed on disciplinary probation.
4. **Suspension with or without Pay.** An employee may be suspended with or without pay for serious or repeated offenses or for failure to meet performance expectations. Employees shall not be permitted to use any accrued paid leave during a disciplinary suspension.
5. **Demotion.** An employee may be demoted for disregarding or violating a personnel rule or policy or for repeated refusal or inability to improve performance.
6. **Involuntary Termination of Employment.** An employee may be involuntarily terminated from employment for a serious disregard or violation of a personnel policy or for continued inability to improve performance.

C. ACTS CONSTITUTING CORRECTIVE ACTION

Corrective disciplinary action will be imposed for violations of city or departmental policies and procedures, codes of conduct, rules, and regulations, either written or verbal. In addition, action may be taken against an employee for act(s) constituting unsatisfactory behavior or conduct relative to inadequate job performance and fitness for public employment. These acts include, but are not limited to the following:

1. Insubordination or other disrespectful or unprofessional conduct;
2. Refusal or failure to perform assigned work after being directed to do so by an immediate supervisor or higher authority;
3. Discourteous treatment of the public;
4. Absence without leave, including failure to notify a supervisor of sick leave, or failure or refusal to report to work after being directed to do so by the employee's immediate supervisor or higher authority;
5. Job abandonment, occurring when an employee is absent from work, without notification, for two (2) consecutive days or longer;
6. Repeated tardiness or early departure;
7. Repeated tardiness to meetings or other required work events;
8. Excessive unscheduled absenteeism;
9. Repeated abuse of sick leave;
10. Endangering the safety of other persons through negligent or willful acts;
11. Intoxication or drug abuse while on duty or while in city uniform or on city property;
12. The illegal use or possession of any controlled substance, narcotic or drug;
13. Unauthorized use of public funds or property;
14. Falsification of documents or records;
15. Unauthorized use of official information or unauthorized disclosure of confidential information;
16. Conviction of official misconduct;
17. Unauthorized or abusive use of official authority;
18. Inefficiency, incompetence or neglect of duty;
19. Excessive use of personal technology devices on city time;
20. Engaging in outside employment that interferes with the performance of duties for the

- city;
21. Any action that impairs the performance of others;
 22. Coercion, intimidation, or threats against citizens, supervisors, co-workers, city officials, or others;
 23. Fighting, horseplay, provoking or instigating a fight, or threatening violence;
 24. Sleeping on duty;
 25. Fraudulent timekeeping;
 26. Violation of safety rules or practices;
 27. Positive drug test;
 28. Theft or inappropriate removal or use of city property or other property not belonging to the employee;
 29. Unauthorized use of telephones, technology, or other city-owned equipment;
 30. Smoking or use of nicotine or e-cigarettes in prohibited areas;
 31. Sexual or other harassment;
 32. Refusal to cooperate in an official investigation of a violation of city, state or federal law, rule, regulation or policy;
 33. Unsatisfactory performance or conduct;
 34. Accumulating three (3) or more written warnings during a twelve (12) month period;
 35. Violation of departmental policy or procedure;
 36. Violation of any of the established city values of integrity, innovation, accountability, commitment to excellence, or teamwork;
 37. Violation of any of the provisions of this Personnel Policy Manual;
 38. Any conduct which could have an adverse effect on the city or on the confidence or trust of the public in city government; or
 39. Any conduct that is prejudicial to good order.

D. PENDING INVESTIGATIONS

When an employee is suspected of a violation of a city, state or federal law, rule, regulation or policy which, if proven, would justify disciplinary action but an investigation is in progress the employee may be administratively placed on leave with or without pay pending the outcome of the investigation and or the imposition of corrective action.

E. HUMAN RESOURCES REVIEW

Any corrective action involving time off, reduction in pay, or termination shall be discussed with Human Resources prior to taking action.

F. TERMINATION OF AN EMPLOYEE

Director approval is required, with the concurrence of Human Resources, prior to the termination of any employee.

City of Keene Personnel Policies and Procedures

Chapter 8: Complaint Resolution

8.2 EMPLOYEE GRIEVANCE & APPEALS

Origination June 28, 2018

Revised January 16, 2025

To settle matters on as low an administrative level as possible, as soon as possible after the applicable event, and to discover, whenever possible, mutually satisfactory solutions to problems which arise.

A. DEFINITIONS

Grievance. An allegation that an employee's nonspecific employment conditions, rights, or benefits specifically provided by law, policy, personnel rule, or previous employer action (such as overtime pay, fringe benefits, or pay rate) has been adversely affected, denied or misapplied.

Disciplinary Appeal. The process for requesting a formal change to an official decision or corrective action.

Business Days. Monday through Friday, 8 a.m. to 5 p.m., excluding holidays.

Department Director. The Director of the department, Police Chief or Fire Chief.

Discipline Review Panel. The discipline review panel is comprised of the City Manager, the Finance Director, and the Human Resources Administrator. The reasons for the discipline in sufficient detail to enable the employee to respond; the type of action to be taken; and the employee's right to appeal.

B. PROBATIONARY AND TEMPORARY EMPLOYEES

Probationary and temporary employees may use this procedure, except in cases involving their performance evaluation or termination of employment. However, in cases where the employee considers performance evaluation or termination of employment to be improperly based upon the employee's race, color, sex, religion, national origin, age genetic information, disability, veteran status or any other protected status, the employee shall have the right to such relief.

C. DISCRIMINATION COMPLAINT

Any employee who feels that he or she has been discriminated against in matters relating to working conditions of employment solely because of the employee's race, color, sex, religion, national origin, age genetic information, disability, veteran status or any other protected status shall have the right to file a Workplace Conduct Complaint directly with Human Resources, as set out under the Workplace Conduct Complaint policy.

D. FREEDOM FROM REPRISAL

Employees wishing to file a grievance or disciplinary appeal under this procedure shall be assured of freedom from restraint, interference, or reprisal from their supervisors or other employees.

E. GRIEVANCE POLICY

In the interest of employee efficiency and morale, city employees shall have the opportunity to discuss Complaints with their supervisor after decisions are made.

F. GRIEVANCE PROCEDURE

Timely Initiation. Grievances shall be filed promptly after the complained of events occur. Matters under this procedure must be presented to Human Resources within five (5) business days from the occurrence of the challenged action, or from the time the employee first became aware (or with the exercise of reasonable diligence should have become aware) of its occurrence, in order to be considered.

Grievance Procedure. An employee shall, within five (5) business days of the date the incident occurred or from which he or she could have become knowledgeable of the incident, file the grievance with Human Resources. If the grievance is against the Human Resources Administrator, the employee shall file the grievance with the City Manager. In presenting the grievance, the complainant must complete the appropriate Grievance Form which includes the following information:

1. The nature of the matter;
2. The act or acts of commission or omission out of which the dispute arose;
3. The exact date (if uncertain, the approximate date) of the act or acts of commission or omission;
4. The identity of the party or parties alleged to have caused the problem; and
5. The remedy which is sought.

The Human Resources Administrator, or his or her designee, shall be responsible for the coordination of the grievance procedures and for the maintenance and control of grievance records.

Grievance Review Steps. Depending on the nature of the grievance filed, the Human Resources Administrator shall forward the grievance to the appropriate individual for review. If the grievance is based upon action taken by a Department Director, it shall be heard by the City Manager.

1. Within five (5) business days of receipt of the grievance, the Department Director shall

meet with the complainant to discuss the matter. Following that meeting, the Department Director shall thoroughly review and investigate by meeting with all other persons having any information on the matter.

2. The Department Director shall respond in writing to the complainant with his or her decision and/or action taken within ten (10) business days after meeting with the complainant.
3. If the Department Director's response is unsatisfactory, the complainant may file a written appeal to the City Manager within five (5) business days after receipt of the decision. The appeal shall be submitted to Human Resources. The appeal shall state the basis for the appeal and resolution sought.
4. The City Manager shall thoroughly review the grievance and investigate as necessary. The City Manager shall respond to the employee in writing with his or her decision within ten (10) business days after meeting with the complainant. The decision of the City Manager is final.
5. A copy of the grievance and the responses shall be maintained in the complainant's personnel file.

Extension of Deadline. The Human Resources Administrator, Department Director, or City Manager may extend any deadline within this policy by notifying the employee in writing.

G. CORRECTIVE ACTION APPEAL POLICY

City employees dissatisfied with any corrective action that results in a written reprimand, suspension, demotion or termination of employment may file an appeal with Human Resources. All appeals must be filed within five (5) business days of the corrective action or the corrective action will be deemed final.

H. CORRECTIVE ACTION APPEAL PROCEDURE

Timely Initiation. Corrective action appeals must be presented in writing to Human Resources within five (5) business days from the occurrence of the corrective action in order to be considered.

Corrective Action Appeal Procedure. An employee may, within five (5) business days of the corrective action, file an appeal with Human Resources. In presenting the appeal, the employee shall complete the Corrective Action Appeal Form which includes the following information:

1. The type of corrective action being appealed and the effective date of the action;
2. The specific reason the corrective action is judged to be unjust or otherwise in error;
3. The remedy or solution sought; and

4. The signature of the disciplined employee.

The Human Resources Administrator shall be responsible for the coordination of the corrective action appeal procedures and for the maintenance and control of appeal records.

I. APPEAL REVIEW STEPS

Depending on the type of corrective action appealed, the Human Resources Administrator shall forward the appeal to the appropriate individual for review.

Procedures to Appeal a Written Reprimand:

1. An employee who receives a written reprimand shall have the right to appeal that decision to the Department Director by filing a written appeal within five (5) business days with Human Resources. In the event that the Department Director or City Manager has issued the written reprimand, the action shall be final and non-appealable.
2. Within five (5) business days of receipt of the corrective action appeal, the Department Director shall meet with the employee to discuss the facts surrounding the corrective action. A careful review of the charges and evidence of the action and/or omission shall be conducted by the Department Director.
3. The Department Director shall respond in writing to the employee with his or her decision within ten (10) business days after meeting with the employee. The Department Director may sustain, reverse, modify, or amend the action taken as he or she determines is appropriate given all the facts and circumstances of the case. The decision of the Department Director is final and non-appealable.
4. A copy of the original corrective action, appeal, and Department Director's response shall be maintained in the employee's personnel file unless otherwise stated in the Department Director's response.

J. FAILURE TO FOLLOW PROCEDURES

Procedures to Appeal a Suspension:

1. An employee who receives a suspension shall have the right to appeal that decision to the Department Director by filing a written appeal within five (5) business days with Human Resources. In the event that the Department Director issued the suspension, the employee's appeal shall be heard by the Discipline Review Panel.
2. Within five (5) business days of receipt of the corrective action appeal, the Department Director shall meet with the employee to discuss the facts surrounding the corrective action. A careful review of the charges and evidence of the action and/or omission shall be conducted by the Department Director.
3. The Department Director shall respond in writing to the employee with his or her decision within ten (10) business days after meeting with the employee. The Department

Director may sustain, reverse, modify, or amend the action taken as he or she determines is appropriate given all the facts and circumstances of the case.

4. If the Department Director's response is unsatisfactory, the complainant may file a written appeal to the Discipline Review Panel within five (5) business days after receipt of the decision. The appeal shall be submitted to Human Resources on the corrective action appeal form. The appeal shall state the basis for the appeal and resolution sought. Human Resources shall notify the Discipline Review Panel of the appeal.
5. Within ten (10) business days of receipt of the corrective action appeal, the Panel shall meet with the employee to discuss the facts surrounding the corrective action. A careful review of the charges and evidence of the action and/or omission shall be conducted by the Panel.
6. The Panel shall respond in writing to the employee with its decision within ten (10) business days after meeting with the employee. The Panel may sustain, reverse, modify, or amend the action taken as it determines is appropriate given all the facts and circumstances of the case. The decision of the Panel is final and non-appealable.
7. A copy of the original corrective action, appeal and responses shall be maintained in the employee's personnel file unless otherwise stated in the Panel's response.

Procedures to Appeal a Demotion:

1. An employee who receives a demotion shall have the right to appeal that decision to the Department Director by filing a written appeal within five (5) business days with Human Resources. In the event that the Department Director issued the demotion, the employee's appeal shall be heard by the Discipline Review Panel.
2. Within five (5) business days of receipt of the corrective action appeal, the Department Director shall meet with the employee to discuss the facts surrounding the corrective action. A careful review of the charges and evidence of the action and/or omission shall be conducted by the Department Director.
3. The Department Director shall respond in writing to the employee with his or her decision within ten (10) business days after meeting with the employee. The Department Director may sustain, reverse, modify, or amend the action taken as he or she determines is appropriate given all the facts and circumstances of the case.
4. If the Department Director's response is unsatisfactory, the complainant may file a written appeal to the Discipline Review Panel within five (5) business days after receipt of the decision. The appeal shall be submitted to Human Resources on the corrective action appeal form. The appeal shall state the basis for the appeal and resolution sought. Human Resources shall notify the Discipline Review Panel of the appeal.
5. Within ten (10) business days of receipt of the corrective action appeal, the Discipline Review Panel shall meet with the employee to discuss the facts surrounding the corrective action. A careful review of the charges and evidence of the action and/or

omission shall be conducted by the Panel.

6. The Panel shall respond in writing to the employee with its decision within ten (10) business days after meeting with the employee. The Panel may sustain, reverse, modify, or amend the action taken as it determines is appropriate, given all the facts and circumstances of the case. The decision of the Panel is final and non-appealable.
7. A copy of the original corrective action, appeal and responses shall be maintained in the employee's personnel file unless otherwise stated in the Panel's response.

K. EFFECT OF PROCEDURE

Procedures to Appeal a Termination:

1. An employee whose employment is terminated shall have the right to appeal that decision to the Department Director by filing a written appeal within five (5) business days with Human Resources. In the event that the Department Director issued the termination, the employee's appeal shall be heard by the Discipline Review.
2. Within five (5) business days of receipt of the corrective action appeal, the Department Director shall meet with the employee to discuss the facts surrounding the corrective action. A careful review of the charges and evidence of the action and/or omission shall be conducted by the Department Director.
3. The Department Director shall respond in writing to the employee with his or her decision within ten (10) business days after meeting with the employee. The Director/Chief may sustain, reverse, modify, or amend the action taken as he or she determines is appropriate given all the facts and circumstances of the case.
4. If the Department Director's response is unsatisfactory, the complainant may file a written appeal to the Discipline Review Panel within five (5) business days after receipt of the decision. The appeal shall be submitted to Human Resources on the corrective action appeal form. The appeal shall state the basis for the appeal and resolution sought. Human Resources shall notify the Discipline Review Panel of the appeal.
5. Within ten (10) business days of receipt of the Disciplinary Appeal, the Panel shall meet with the employee to discuss the facts surrounding the corrective action. The Panel, in consultation with the City Manager, shall conduct a review of the charges and evidence of the action and/or omission.
6. The Panel shall respond in writing to the employee with its decision within ten (10) business days after meeting with the employee. The Panel may sustain, reverse, modify, or amend the action taken as it determines is appropriate given all the facts and circumstances of the case. The decision of the Panel is final.
7. A copy of the original corrective action, appeal, and responses shall be maintained in the employee's personnel file unless otherwise stated in the Panel's response.

Extension of Deadline. The Human Resources Administrator, Department Director, or City Manager may extend the time frame of any step of this policy by notifying the employee in writing.

Inapplicability. Department Directors and employees in a position filled by the City Council have no appeal rights under this section.

Errors or defects in the form or preparation of written appeals of corrective action shall not nullify the appeal.

Failure to Follow Procedures. Failure of an employee to follow procedures set out above, or failure to appear at a complaint or corrective action appeal meeting, shall result in the loss of further appeal rights by the employee.

Freedom from Reprisal. Employees wishing to file a grievance or appeal under this procedure shall be assured of freedom from restraint, interference, or reprisal from their supervisors or other employees.

Effect of Procedure. The existence of and access to this procedure shall not constitute any limitation on the rights of the City of Keene to manage its affairs. All employees hold their positions at the will and pleasure of the city and such positions may be terminated or otherwise adversely affected with or without cause.



SAFETY MANUAL

NOVEMBER 1, 2018

Section 200 – Components of a Comprehensive Safety and Accident Prevention Program

- 200.01 Safety Responsibilities
- 200.02 Accident/Incident Investigation Policy
- 200.03 Safety Education & Training Policy
- 200.04 Safety Audit & Inspection Policy
- 200.05 Recordkeeping Policy
- 200.06 Accident/Incident Analysis Policy
- 200.07 Safety Program Review & Revision Policy

Section 201 – General Administrative Policies/Procedures & High-Risk Activity Safety Policies

- 201.01 Return-To-Work Program
- 201.02 Hazard Communication Program
- 201.03 Disciplinary Policy for Violations of Safety Rules/Procedures
- 201.04 Safety Committee Development
- 201.05 Vehicle Operator Standards
- 201.06 Respiratory Protection Program
- 201.07 Confined Space Entry Program
- 201.08 Excavation & Trenching Safety Program

Section 202 - General Safety Rules & Department/Operation – Specific Safety Rules

- 202.01 General Safety Rules
- 202.02 Cellular Telephones & Wireless Communication Devices
- 202.03 Job, Task, & Project Briefings
- 202.04 Working Alone
- 202.05 Chemical Handling & Storage
- 202.06 Compressed Gas Chlorine Safety
- 202.07 Fall Prevention
- 202.08 Personal Protective Equipment
- 202.09 General Rules for Motor Vehicle and Equipment Operation
- 202.10 Refuse Collection Safety
- 202.11 Electrical Safety
- 202.12 Lockout/Tagout Safety Procedures
- 202.13 Bloodborne Pathogen Safety

202.14	First Aid
202.15	Confined Space Safety
202.16	Excavation & Trenching Safety
202.17	Work Zone/Traffic Control Safety
202.18	Law Enforcement Safety
202.19	Fire Personnel Safety
202.20	Back Injury Prevention & Material Handling
202.21	Fire Prevention & Life Safety
202.22	Tool Safety
202.23	Ladder Safety
202.24	Material Storage Safety
202.25	Shop Safety
202.26	Storage & Equipment Yard Safety
202.27	Compressed Gas Cylinder Safety
202.28	Machine Guarding Safety
202.29	Welding & Cutting Safety
202.30	Weather-Related Illness Safety
202.31	Pesticide & Herbicide Safety
202.32	Chain Saw Safety
202.33	Tree Cutting & Trimming Safety
202.34	Forklift Safety
202.35	Backhoe & Loader Safety
202.36	Aerial Boom & Scissor Lift Safety
202.37	Dump Truck Safety
202.38	Tractor Shredder Safety
202.39	Landscaping & Grounds Maintenance Safety
202.40	Poisonous Plant Awareness
202.41	Painting Safety
202.42	Office Safety
202.43	Ergonomics Awareness
202.44	Aggressive Animal Awareness
202.45	Workplace Violence Awareness
202.46	Indoor Air Quality

Appendix - Forms



MANAGEMENT STATEMENT OF SAFETY

Dear Employee:

The success of the City of Keene depends upon the efficient and effective use of resources to maintain high quality services for the citizens of our community. Our most important resource is our employees and, to protect this resource, we are committing to providing a safe and healthful work place for all employees by establishing and maintaining an effective safety and accident prevention program. Safety is, and will continue to be, a fundamental part of our organization's operations.

The responsibility for safety resides within all of us and we are each challenged to stay informed and to take responsibility for our own safety and the safety of our co-workers. To ensure the success of the safety process, we must all give our full participation and support to the safety policies and procedures that have been developed to protect us. Working safely, and in accordance with established safety policies, is an absolute requirement for all employees, supervisors, and managers.

City Manager

Date

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Section: SAFETY MANUAL	Reference Number: 200.01
Subject: COMPONENTS OF A SAFETY AND ACCIDENT PREVENTION PROGRAM	Initial Effective Date: 11/01/2018
Title: SAFETY RESPONSIBILITIES	Last Revision

The City Manager has the responsibility to administer and implement this Safety and Accident Prevention Plan, assigning tasks to staff members as defined within the individual components.

Management Safety Responsibilities:

Managers are responsible for providing a place of employment that is free from recognized hazards that could result in injuries or accidents. Since it is impossible for managers to personally observe all employee activities, they must ensure that all supervisors and employees alike are trained and are aware of their safety responsibilities. Other safety responsibilities for managers include:

- Provide leadership and direction concerning safety activities
- Participate actively in the continuous evaluation of the safety program.
- Set goals concerning safety performance within the department
- Review losses for potential trends on a regular basis
- Enforce all safety rules
- Participate in facility and work site audits
- Participate and support all accident investigation activities
- Review accident reports and recommend corrective actions

Supervisor Safety Responsibilities

Safety is as much a part of the supervisor's responsibility as is getting the job done efficiently. In addition, to the aforementioned responsibilities of managers, the important safety responsibilities of each and every supervisor also include:

- Familiarize yourself with and enforce the safety rules and regulations that have been established by applicable local, state, and federal organizations. These regulations are intended to set minimum standards for safety and the contents of the regulations should be enforced as minimum safety requirements for all activities on our work sites or in our facilities.
- Correct, or have corrected, all reported hazards. Operating under know hazardous condition will not be tolerated.
- Do not permit new or inexperienced employees to work with power tools, machinery or complex equipment without proper instruction and training.
- Give adequate instructions. Do not assume that an employee knows how to do a job unless you personally have knowledge that the person can perform that task correctly.

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- Ensure tools, equipment, and machinery being used in the workplace are in proper working condition.
- Ensure that proper personal protective equipment is available and utilized by employees when necessary or required.
- Always set a good example in safety, such as wearing the proper personal protective equipment and following policies and procedures.
- Consistently enforce the requirements of the organizations safety program and any associated rules or policies.
- Ensure that all employees have access to a copy of the organization's safety program.
- Encourage safety suggestions from employees under your supervision.
- Obtain prompt first aid for injured employees.
- Participate in accident or incident investigations involving your employees.
- Conduct audits of all work areas and facilities on a regular basis in an effort to improve housekeeping, eliminate unsafe conditions and encourage safe work practices.

Employee Safety Responsibilities

Employees bear a certain amount of responsibility in any safety program. You must be aware that your actions, knowledge, mental state, physical condition, and attitude directly affect the safety of yourself and your fellow employees. All employees will:

- Know your job, follow instructions, and think before you act
- Use appropriate personal protective equipment as dictated by the job and by policy.
- Work according to written safety practices as trained, posted, instructed, or discussed.
- Refrain from any unsafe act that might endanger yourself or your fellow workers.
- Never take short-cuts and will use all safety devices provided for your protection.
- Report any unsafe situation or act to your supervisor immediately.
- Assume responsibility for thoughtless or deliberate acts that may cause injury to yourself or your fellow workers.
- Never operate equipment that you are unfamiliar with or not trained to use. Also, equipment that is defective or in need of repair shall not be used and must be reported to your supervisor.
- Report all accidents/incidents to your supervisor as soon as they occur.

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Section: SAFETY MANUAL	Reference Number: 200.02
Subject: COMPONENTS OF A SAFETY AND ACCIDENT PREVENTION PROGRAM	Initial Effective Date: 11/01/2018
Title: ACCIDENT INVESTIGATION POLICY	Last Revision Date:

ACCIDENT/INCIDENT INVESTIGATION POLICY

It is the policy of the City of Keene to investigate all work-related accidents that result in or could potentially have resulted in injury or property damage. As nearly all accidents have their own unique characteristics, only general rules and procedures can be outlined within this policy.

An ***accident*** is defined as “an undesirable or unfortunate happening that occurs unintentionally and usually results in harm, injury, damage, or loss”. Examples of accidents include on-the-job injuries (regardless of severity) or vehicle collisions.

The standard City of Keene *Accident Investigation Report* will be used for both initial and final investigations. The bottom of the report shall be marked to indicate whether it is an initial or final report using the check-box.

Roles and Responsibilities

- Employees must immediately report to their supervisor any on-the-job injury or illness they sustain, or suspect they have sustained, no matter how minor. They must also report any incidents that had the potential for injury to employees or third parties and any instances where property damage occurred.
- Supervisors shall first respond to the immediate medical needs of any injured persons. Following any necessary medical attention, they should begin reporting and investigative activities as described in this policy.
- Witnesses to the event that resulted in the accident or incident will provide statements about what they observed. Witnesses may also be asked to participate in the initial and/or final investigations.
- The Risk Manager is responsible for receiving the initial reports of injury or property damage and forwarding them to the appropriate workers' compensation provider representatives in a timely manner.
- Human Resources is also responsible for reviewing the initial accident/incident report and coordinating a final investigation, if necessary.

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Investigation Procedures

The following procedures will be followed for any accident as defined above.

- **Initial Notification**

Employees are responsible for reporting all injuries or illnesses as described earlier in this policy. Failure to report any injury may be cause for disciplinary action. In the event of a serious or disabling injury, fellow employees must assume this reporting responsibility.

- **Initial Treatment**

Any injury should be treated by the supervisor or other available personnel in accordance with the individual abilities of the employee and the severity of the injury. Medical treatment is mandatory for any of the following:

- Severe chest pains
- Traumatic injuries
- Loss of consciousness or severe dizziness

The first responders to any incident scene will be responsible for securing the area to prevent further damage or injury and also protecting the integrity of the incident scene until an investigation can be initiated.

Any incident involving possible exposures to blood-borne pathogens, communicable diseases, or any other contagious substance shall be handled in accordance with those specific procedures regarding that particular incident.

Injured employees are to be transported for medical treatment either by ambulance or another person, depending on the severity of the injury. Injured employees should never be allowed to transport themselves for initial medical treatment.

If an employee refuses medical treatment for an on-the-job injury, the report should be completed, and the employee's signature used to document the employee's refusal.

- **Further Notification**

Human Resources must be contacted immediately following the occurrence of an accident or incident to ensure an initial report is completed and forwarded to the appropriate insurance provider representative.

- **Drug/Alcohol Policy Requirements**

Post-accident drug test will be performed if a supervisor has reasonable suspicion that drugs or alcohol were involved.

CDL Special Note: Following any reportable accident as defined by the DOT*, the City will ensure that all CDL Licensed drivers involved in the accident are tested for evidence of controlled substances and alcohol.

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- **Initial Investigation**

The supervisor shall immediately protect all other persons from the hazards that caused the initial problem and also preserve the area where the incident occurred for investigation. After the injured persons have been attended to and the site is secure, the supervisor should contact the Risk Manager and/or the Police Department and begin the initial investigation. The initial investigation should include:

- Statement from the injured employee
- Statements from witnesses
- Photographs or sketches of area, if deemed necessary
- Completion of the Accident/Incident Report in its entirety
- Immediate corrective actions to prevent any possible reoccurrence.

- **Initial Report**

An initial report will be completed for all accidents within twenty-four (24) hours of occurrence.

The supervisor of the employee will complete the initial investigation and report as soon as possible after the occurrence.

The initial report will be submitted to Human Resources during normal work hours.

- * **Final Investigation**

Within a reasonable time period of the original accident or incident, a final investigation will be completed, as necessary. The final investigation report should include:

- Description of the event by the involved persons
- Accounts of witnesses
- Input from supervision
- Listing of causes
- Development of corrective actions

Basically, the investigation must answer the following questions:

- Who was injured or what was damaged?
- When did the accident/incident occur?
- Where did the accident/incident occur?
- Why did the accident/incident occur?
- What caused the accident/incident to occur?
- How can it be prevented from occurring again?

Human Resources will take responsibility for issuing the final report. The final investigation report will reflect all changes from the initial report and also must include:

- Finalized corrective actions
- Assigned completion dates for all corrective actions

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- Assigned person(s) to complete the corrective actions. The persons assigned the corrective actions shall also be required to sign the final report when the corrective actions have been completed.

Copies of the final investigation report should be supplied to:

- Human Resources
- Department Manager

- * The DOT defines an accident as: *A fatality. An injury requiring immediate medical attention away from the scene. One or more vehicles incurring disabling damage as a result of the **accident**, requiring tow-away from the scene.*

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Section: SAFETY MANUAL	Reference Number: 200.03
Subject: COMPONENTS OF A SAFETY AND ACCIDENT PREVENTION PROGRAM	Initial Effective Date: 11/01/2018
Title: SAFETY EDUCATION AND TRAINING POLICY	Last Revision Date:

Safety Meetings & Training

Safety meetings are an effective way to encourage, educate, and train employees on safe work practices and will be held on a regular basis, based upon the specific department or operation. Human Resources will provide information to be used in the meetings and will attend and participate in the meetings when possible. Safety meetings will normally be conducted by supervisors in the department or appointed safety liaison. Discussions of safety rules, possible hazards to be encountered in future job duties, or changes in procedures or equipment are some topics that should be covered on a regular basis. Topics discussed during safety meetings should pertain to the specific hazards associated with the employee's assigned job or task as well as general hazards associated with the workplace. All employee safety meetings and training will be documented according to the *Recordkeeping Policy*.

Employees who do not attend regularly scheduled safety meetings or training will be identified and scheduled to attend makeup training at the supervisor's discretion. Documentation of makeup training will be made as well.

Special Training

Additional or specialized safety training will be conducted for the following areas as the need arises:

- New equipment purchases
- New/changes in operations
- Identified areas of increased accidents
- Newly identified areas of exposure

New Employee Safety Orientation

The Individual Departments will provide an orientation to all new employees to address the hazards associated with their position and will include a review of all safety rules, policies/procedures, and equipment that are applicable to the employee's area of assignment. New employees will be given an opportunity to ask relevant questions that may pertain to their assigned duties and safety.

New employees' work activities will be limited to task not using heavy or power equipment until the safety orientation is completed.

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Documentation of Safety Meetings & Training

Documentation from any formal meeting, ‘tailgate’ meeting, or training courses attended by employees, supervisors, or managers will also be maintained for recordkeeping purposes using the appropriate form. Documentation should include the topic(s) covered and presenter information. The documentation associated with safety meetings and training will be kept in accordance with the *Recordkeeping Policy*.

CITY OF KEENE

Section: SAFETY	Reference Number: 200.04
Subject: COMPONENTS OF A SAFETY AND ACCIDENT PREVENTION PROGRAM	Initial Effective Date: 11/01/2018
Title: SAFETY AUDIT AND INSPECTION POLICY	Last Revision Date:

In an effort to detect unsafe acts or unsafe conditions and initiate necessary corrective actions as soon as possible, regularly scheduled, documented inspections will be conducted for all City of Keene facilities, vehicles, and equipment.

Employees are responsible to continually inspect their work areas, vehicles, and equipment for possible hazards. Potential hazards should be immediately reported to supervisory personnel. Required corrective actions should be documented for any identified deficiencies. Follow-up after corrective actions have been taken should also be documented. All completed inspection reports will be maintained according to the *Recordkeeping Policy*.

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Section: SAFETY MANUAL	Reference Number: 200.05
Subject: COMPONENTS OF A SAFETY AND ACCIDENT PREVENTION PROGRAM	Initial Effective Date: 11/01/2018
Title: RECORDKEEPING POLICY	Last Revision Date:

It is the policy of the City of Keene to maintain records of all safety and accident documents for a minimum of five (5) years, unless otherwise specified. The Human Resources Department will perform annual checks of the records for inclusion of all required safety documentation as described in this policy and will ensure that records are maintained by the City of Keene and will include, but are limited to:.

Injury Loss Records

- A copy of each TDI Division of Workers' Compensation Form DWC-1 (Employer's First Report of Injury).
- A copy of each TDI Division of Workers' Compensation Form DWC-6 (Supplemental Report of Occupational Injury or Illness).
- An injury log will be maintained to track all work-related injuries and illness reported by employees. The log will be updated and kept current by Human Resources.
- Claim and loss information from TML-IRP for all lines of coverage shall be maintained as well. This information will be used for various means of trend analysis.

Accident Investigation Reports

Human Resources will ensure that an accident investigation report is completed for each reported accident or incident. Only City of Keene approved accident investigation report forms shall be used to document accident investigation data. See *Accident/Incident Investigation Policy* for specific details.

Inspection Reports

All vehicle, equipment, and facility inspection reports will be maintained by each department. Only City of Keene approved inspection forms will be used. Follow-up to necessary corrective actions, including date, tasks, or jobs completed, should be documented as well.

Safety Meetings & Training Records

Documentation of safety meetings and other training records will be maintained by Human Resources or the department initiating the training.

Accident/Incident Analysis

A file containing Accident Analysis reports, using the City of Keene form, will be maintained by Human Resources.

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Section: SAFETY MANUAL	Reference Number: 200.06
Subject: COMPONENTS OF A SAFETY AND ACCIDENT PREVENTION PROGRAM	Initial Effective Date: 11/01/2018
Title: ACCIDENT ANALYSIS POLICY	Last Revision Date:

As needed, the Human Resources Department will review all reported injuries, property damage, accident investigations, unsafe condition reports, and inspection reports that have been completed over the past twelve (12) months to determine if injury or hazard trends are developing. Where potential trends are identified, the cause(s) will be determined to assist in the implementation of corrective actions, as needed, to eliminate or reduce hazardous exposures to employees. The Human Resources Department will follow up on the effectiveness of the corrective actions to ensure the situations have been mitigated, abated, or are in the process of being corrected.

Items to be addressed during the analysis include progress on previous corrective actions, trends, recently identified exposures, and safety meeting and inspection reports.

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Section: SAFETY MANUAL	Reference Number: 200.07
Subject: COMPONENTS OF A SAFETY AND ACCIDENT PREVENTION PROGRAM	Initial Effective Date: 11/01/2018
Title: SAFETY PROGRAM REVIEW & REVISION POLICY	Last Revision Date:

The Human Resources Department will, as needed, review the entire Accident Prevention & Safety Program for revisions to help address any potential new exposures within current operations. Areas that should be evaluated include, but are not limited to: operations added, equipment added/changed, changes in environmental conditions, adequacy of personal protective equipment, and employee training. In addition, procedures should be reviewed to make sure they are still applicable.

Upon changes in the Accident Prevention & Safety Program, all employees will be informed of these changes and provided proper training as needed. Human Resources will ensure that changes or revisions are added to the program in timely manner.

This review will be documented using the appropriate form and maintained according to the *Recordkeeping Policy*.

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Section: SAFETY MANUAL	Reference Number: 201.01
Subject: GENERAL ADMINISTRATIVE POLICIES/PROCEDURES & HIGH-RISK ACTIVITY SAFETY POLICIES	Initial Effective Date: 11/01/2018
Title: RETURN-TO-WORK (MODIFIED DUTY) PROGRAM	Last Revision Date:

Overview

The City of Keene has implemented a program for employees who are injured on the job. This program will provide the injured employee with immediate and appropriate medical attention and will attempt to provide opportunities to return the employee to safe, productive work as soon as medically reasonable.

The ultimate goal is to return qualified employees to their original jobs. The *Return-to-Work Program* will attempt to provide alternative productive work that meets the injured employee's capabilities.

These procedures are developed to meet the Texas workers' compensation laws and rules, Americans with Disabilities Act, and Family Medical Leave Act that support and encourage return to work programs.

The support and participation of management and all employees are essential for the success of the City of Keene Return-to-Work program.

Procedures

The City of Keene has a return-to-work program applicable to all full-time employees. The return- to-work coordinator is the Human Resources Administrator.

An employee who is injured must immediately report the injury or incident to a supervisor or an appropriate person in management.

If medical attention is required, the injured employee will be accompanied by his/her supervisor or designee to receive medical services.

Following an injury, employees should:

- Report all injuries immediately, no matter how minor
- Complete an accident report
- Provide correct information immediately so that the DWC-1 form may be completed and filed within 24 hours
- Verify that we have your current phone number and address
- Contact your supervisor/manager at least weekly to discuss your restrictions and other return- to-work opportunities

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- Report to work on the next scheduled shift after you have been released by the doctor (either regular duties, modified duties, or reduced time)
- Perform only the jobs described by the doctor and manager, according to the doctor's restrictions

After medical treatment, if the employee is unable to return to work the next day, the employee should request a written statement of any restrictions he/she may have in performing their tasks and an expected return-to-work date from the physician. The employee is required to provide this information to his or her supervisor as soon as possible, preferably on the day of the injury and at least weekly until the employee returns to work. The supervisor should deliver the physician's information to the return to work coordinator as soon as possible, at least within the workday it is received from the employee.

If the physician indicates that the employee is not able to return to their regular duties, even with minor modifications, but is physically able to perform alternative assignments in their own or another department, the employee will be required to report to that position if one is available. The priority will be to return employees to their own departments if there is approved alternative work available.

Employees participating in return-to-work through either a modified, regular position or an alternative position may not work overtime hours or at any employment outside of the entity without approval from the Department Director or until returned to their regular position.

The injured employee will be in communication with the physician and Human Resources until:

- the alternative assignment ends;
- the physician temporarily prohibits the employee from performing the alternative assignment;
- there is no longer any useful task available within the entity that the employee can perform;
- the employee is able to return to his/her regular, pre-injury duties;
- the employee is terminated.

Employee Responsibilities

All employees are responsible for working safely and following all safety rules.

If you are injured on the job, you must report the injury to your supervisor that business day, or within 24 hours if before 8 AM or after 5 PM, Monday-Friday. Go to the doctor for treatment immediately if needed.

It is essential that contact be maintained in order to promote your return to work. We care about your health, well-being and future with the City of Keene.

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Failure to follow these procedures will result in disciplinary action according to the policies and procedures in the employee manual.

Supervisor/Management Responsibilities

Management is responsible for providing a smooth transition back to work for any employee who has experienced a work-related injury or illness.

Employees who are off work due to a work-related injury or illness will be encouraged to return to work as soon as medically reasonable.

Employees and supervisors will work together to set guidelines for modified duty according to the doctor's restrictions.

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Section: SAFETY MANUAL	Reference Number: 201.02
Subject: GENERAL ADMINISTRATIVE POLICIES/PROCEDURES & HIGH-RISK ACTIVITY SAFETY POLICIES	Initial Effective Date: 11/01/2018
Title: HAZARD COMMUNICATION PROGRAM	Last Revision Date:

General Information

The Texas Hazard Communication Act (THCA), codified as Chapter 502 of the Texas Health and Safety Code (HSC), requires all public employers in Texas to provide their employees with information regarding hazardous chemicals to which employees may be exposed in their workplace. In order to comply with Section 502.009(b) of the THCA and Section 295.7(a) of the THCA Rules (Title 25 of the Texas Administrative Code (TAC), Section 295.1-295.12), the following written Hazard Communication Program has been established for City of Keene.

The master copy of the written hazard communication program will be maintained in the Human Resource Department. Copies of the written program will be modified as needed for each separate workplace where hazardous chemicals are used or stored and a copy maintained at each workplace. The written program will be available to all employees and their representatives upon request.

NOTE:

This policy was developed using the Model Written Hazard Communication program prepared by the Hazard Communication Branch of the Texas Department of State Health Services. For additional guidance, please contact the Hazard Communication Branch at 800-452-2791 (toll free) or 512-834- 6603. The Branch may also be reached through its web site at www.dshs.state.tx.us.

Exemptions

The following chemicals are exempt from the requirements of the THCA and are outside the scope of this written program:

- Hazardous waste that is subject to regulation by the Texas Commission on Environmental Quality and/or the U.S. Environmental Protection Agency.
- A chemical in a laboratory under the direct supervision or guidance of a “technically qualified individual” if:
 - Labels on incoming containers of chemicals are not removed or defaced,
 - This employer complies with Sections 502.006 and 502.009 of the THCA with respect to laboratory employees; and
 - The laboratory is not used primarily to produce hazardous chemicals in bulk for commercial purposes.
- Tobacco or tobacco products.
- Wood or wood products.

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- Articles formed to a specific shape or design during manufacture and that do not release or otherwise result in exposure to a hazardous chemical under normal conditions of use.
- Food, drugs, cosmetics or alcoholic beverages.
- Consumer products or hazardous substances used in the workplace in the same manner as normal consumer use and if the use results in a duration and frequency of exposure that is not greater than exposures experienced by a consumer.
- Radioactive waste.

Workplace Chemical List

- The City of Keene will develop and maintain a list of hazardous chemicals normally present in the workplace in excess of 55 gallons or 500 pounds. This Workplace Chemical List will be developed for each workplace where such quantities of hazardous chemicals are used or stored and will be available for review by employees and their designated representatives.
- The Public Works Director or his/her designee will be responsible for reviewing and updating the Workplace Chemical List for the City of Keene as necessary, but at least by December 31 of each year.
- The Workplace Chemical List will be maintained for at least 30 years.
- Further information on each noted chemical can be obtained by reviewing Material Safety Data Sheets (MSDSs) located in each workplace where these hazardous chemicals are used or stored.

Material Safety Data Sheets

- Each department will maintain a current and appropriate Material Safety Data Sheet (MSDS) for each hazardous chemical purchased.
- The Public Works Director will be responsible for the MSDS system for The City of Keene and will ensure that:
 - Incoming MSDSs are reviewed for new and significant health/safety information and that any new information is passed on to the affected employees.
 - Hazardous chemicals received without an MSDS are withheld from use until a current MSDS is obtained.
 - Missing MSDSs are requested from an appropriate source (e.g., chemical manufacturer, distributor, or electronic database) within 30 days from receipt of the hazardous chemical.
 - Affected employees are provided a description of any alternative system (such as electronic databases) being used in lieu of actual MSDSs.
 - Emergency responders are provided MSDSs as soon as practical upon request.
- MSDS files for department will be kept in that department.
- MSDSs will be readily available for review by employees or their designated representatives upon request.

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Chemical Container Labels

- All containers of hazardous chemicals used or stored by (member and/or specific workplace) will be appropriately labeled.
- The Public Works Director will be responsible for the hazardous chemical labeling system and will verify that:
 - All **primary** containers of hazardous chemicals are clearly labeled to include:
 - The identity of the chemical as it appears on the MSDS.
 - The appropriate hazard warnings.
 - The name and address of the manufacturer.
 - All **secondary** containers of hazardous chemicals are clearly labeled to include:
 - The identity of the chemical as it appears on the MSDS.
 - The appropriate hazard warnings.
 - A description of alternative labeling systems, if used, is provided to employees. Examples of alternative labeling systems are the National Fire Association (NFPA) 704m Standard and the Hazardous Materials Information Systems (HMIS) Standard.
 - Every effort will be made to label pipes that carry materials that could be hazardous. Labeling can be specific markings identifying the contents of the pipes. If hazardous chemicals run through the pipes, the potential hazards and necessary safety precautions relative to the chemicals must be obtained and given to the employees in the area.
 - Any empty container being considered for re-use must be fully cleaned and all labels removed prior to its use.
- The City of Keene will rely on the chemical manufacturers or distributors to provide labels which meet the above requirements for primary containers of all hazardous chemicals purchased and will re-label containers only when the label is illegible or otherwise does not meet the above requirements.

Employee Training Program

- The City of Keene will provide an education and training program to all employees who routinely use or handle hazardous chemicals in their workplace.
- The Public Works Director will be responsible for the employee training program and will ensure that:
 - Appropriate training is provided to all covered employees and includes:
 - The use of information provided on MSDSs and chemical container labels.
 - The location of hazardous chemicals present in the employees' workareas.
 - The physical and health effects of exposure.
 - Proper use of personal protective equipment.
 - Safe handling of hazardous chemicals.
 - First aid treatment for exposure to hazardous chemicals.
 - Safety instructions on clean up and disposal of hazardous chemicals.
 - Required training records are maintained and include:
 - The date of the training session.
 - A legible list of all employees attending the training session.
 - The subjects covered.
 - The name of the instructors.
 - All covered employees are identified and incorporated into the training program.

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- Employees are provided information concerning the hazardous chemicals to which they may be exposed during the performance of non-routine tasks.
- New employees are trained prior to their being required to use or handle a hazardous chemical.
- The need and frequency for periodic/refresher training is assessed. Employees subject to these training requirements will sign an attendance roster for each training session attended, verifying that they received and understood the information.

Reporting Employee Deaths and Injuries

- The City of Keene will notify the Texas Department of State Health Services, Hazard Communication branch, of any employee accident that involves a hazardous chemical exposure or asphyxiation, and that is fatal to one or more employees or results in the hospitalization of five or more employees.
- Human Resources will be responsible for reporting all such accidents to the Texas Department of State Health Services, Hazard Communication Branch, within 48 hours after their occurrence. Notifications will be made either orally or in writing.
- Employees will be responsible for reporting all accidents involving a hazardous chemical to their supervisor.
- Supervisors will be responsible for reporting all accidents involving a hazardous chemical to Human Resources.

Posting Employee Notice

- The Public Works Director will post and maintain in all workplaces where hazardous chemicals are used or stored the most current version of the TDSHS Notice to Employees, informing employees of their rights under the THCA.
- The Notice shall be clearly posted and unobstructed at all locations in the workplace where notices are normally posted, and with at least one location in each workplace.
- Where necessary, a copy of the Notice, printed in Spanish, will be posted together with the English version of the Notice.
- Additional copies of the Notice, both in English and Spanish, are available from the Hazard Communication Branch of the TDSHS.

Personal Protective Equipment

- The City of Keene will provide appropriate personal protective equipment (PPE) to all employees who use or handle hazardous chemicals.
- Each department director with the aid of Human Resources will assume overall responsibility for the PPE program and will ensure that appropriate equipment and training are provided, to include:
 - Proper selection of PPE based on:
 - Routes of entry.
 - Permeability of PPE material.
 - Duties being performed by the employee.

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- Hazardous chemicals present.
- Proper fit and functionality of PPE as described by the manufacturer's specifications.
- Appropriate maintenance and storage of PPE.

Maintaining Employee Rights

- The City of Keene shall not discipline, harass, or discriminate against any employee for filing complaints, assisting inspectors of the Texas Department of State Health Services, participating in proceedings related to the Texas Hazard Communication Act, or exercising any rights under the Act.
- Employees cannot waive their rights under the Texas Hazard Communication Act. A request or requirement for such a waiver by an employer violates the Act.

Informing Contractors

- Before a contractor commences work in a City of Keene workplace, the supervisor who controls the work area will be responsible for:
 - Informing the contractor of its rights under the Act.
 - Providing a copy of the Workplace Chemical List.
 - Providing copies of all MSDSs for the hazardous chemicals that they may be exposed to in the workplace.
 - Having the contractor provide MSDSs for any hazardous chemicals they will be bringing into the City of Keene workplace to which the City of Keene employees will have an exposure.

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Section: SAFETY MANUAL	Reference Number: 201.03
Subject: GENERAL ADMINISTRATIVE POLICIES/PROCEDURES & HIGH-RISK ACTIVITY SAFETY POLICIES	Initial Effective Date: 11/01/2018
Title: DISCIPLINARY POLICY FOR VIOLATIONS OF SAFETY RULES/REGULATIONS	Last Revision Date:

Safety Reprimands

Should employees be observed not following documented safety rules/procedures, the supervisor shall follow the Corrective Action Process found in the found in the Personnel Policies. Supervisors should make every effort to ensure all employees are following safe work practices, policies, and procedures.

The City of Keene has developed a progressive disciplinary policy that applies to the safety and accident prevention program of the City of Keene. The disciplinary policy is a tool to ensure enforcement of the rules and procedures for a safe and healthful working environment and applies to all employees of the City of Keene.

Level 1 - Verbal Warnings

Supervisors may issue verbal warnings to employees that commit minor infractions or violations of the safety rules or safe work practices. Continued violations or verbal warnings will lead to more stringent action.

A verbal reprimand is best suited for a minor rule infraction or incident of substandard performance. No formal documentation shall be submitted for inclusion in the employee's personnel file.

Level 2 – Written Reprimand

Supervisors may issue written warnings for the following:

- Repeated minor violations of safety rules or procedures.
- Single serious violations of a rule or procedure that could have potentially resulted in injury to themselves or another employee or could have caused property damage.
- Activities that could potentially result in injury or property damage.

Level 3 - Disciplinary Probation

Supervisors may recommend, and management may institute, disciplinary probation for the above reasons as well as the following:

- A single serious violation of a rule or procedure that results in injury to an employee or property damage.
- Repeated violations or con-conformance to safety rules/procedures.

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Level 4 - Suspension with or without pay

An employee may be suspended with or without pay for serious or repeated offenses or for failure to meet performance expectations. Employees shall not be permitted to use any accrued paid leave during a disciplinary suspension.

Level 5 - Demotion

An employee may be demoted for disregarding or violating a personnel rule or policy or for repeated refusal or inability to improve performance.

Level 5 - Termination

Supervisors may recommend and management may concur in the termination of any employee for repeated serious violations of the above circumstances.

Documentation

Every corrective action taken, with the exception of a verbal reprimand or counseling, shall be in written format and forwarded to Human Resources for inclusion the employee's personnel file. Proper documentation ensures that rules are enforced equitably and in accordance with stated policy, without regard to race, color, sex, religion, national origin, age genetic information, disability, veteran status or any other protected status. Errors or defects in the form or preparation of written notices of corrective action shall not nullify the action.

Prior to a termination, demotion, or suspension without pay of a regular employee, (not a probationary employee) written notice shall be given to the employee stating:

- i. The reasons for the discipline in sufficient detail to enable the employee to respond;
- ii. The type of action to be taken; and
- iii. The employee's right to appeal.

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Section: SAFETY MANUAL	Reference Number: 201.04
Subject: GENERAL ADMINISTRATIVE POLICIES/PROCEDURES & HIGH-RISK ACTIVITY SAFETY POLICIES	Initial Effective Date: 11/01/2018
Title: SAFETY COMMITTEE	Last Revision Date:

The City of Keene has established a safety committee to recommend improvements to the workplace safety and accident prevention program and to help in the identification of necessary corrective measures to eliminate or control recognized safety and health hazards and exposures.

ROLES AND RESPONSIBILITIES OF THE SAFETY COMMITTEE

The safety committee will continuously assist in evaluating the effectiveness of control measures used to protect employees from safety and health hazards in the workplace. The committee will also make recommendations as to any adjustments necessary to improve any components of the safety program.

The safety committee will be responsible for assisting management in reviewing and updating workplace safety rules based on accident investigation findings, inspection findings, employee reports of unsafe acts or conditions, and employee suggestions/complaints. These reviews will be conducted regularly during committee meetings and will focus on hazard/injury analysis and possible developing trends. Resources used during these analyses will include:

- TDI-DWC-1 Forms
- Accident Investigation Reports
- Injury Log
- TML-IRP Loss History Reports
- Other Workers' Compensation Loss Reports

The Chairperson of the safety committee will maintain a copy of these records for reference as needed and will provide a written notification of any identified trends to the City Manager as necessary, including supervisors, department heads, and executive management personnel.

The safety committee will assist management in continually evaluating employee accident prevention programs in an effort to promote safety awareness and employee participation in the safety program. This evaluation will involve conducting periodic safety inspections, observing work practices, reviewing accident causes, establishing accountability and suggesting recommendations for corrective measures or other administrative actions that need to be taken. Responsibilities may also include updating or rewriting of policies or procedures as evaluations identify possible deficiencies.

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MEETINGS

Safety committee meetings will be held quarterly and more often as necessary. The Human Resource Administrator will be responsible for recording the minutes and proceedings of each meeting. A copy of finalized minutes will be made available to all employees.

MEMBERS

The Safety committee will consist of the following members:

- Human Resources – Chairperson
- Chief of Police (or representative) – Vice Chairperson
- Emergency Management Specialist – Secretary
- Fire Chief (or representative)
- Director of Public Works
- Member at large

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Section: SAFETY MANUAL	Reference Number: 201.05
Subject: GENERAL ADMINISTRATIVE POLICIES/PROCEDURES & HIGH-RISK ACTIVITY SAFETY POLICIES	Initial Effective Date: 11/01/2018
Title: VEHICLE OPERATOR STANDARDS	Last Revision Date:

Policy, Purpose, and Scope

All employees authorized to operate City of Keene vehicles and motorized equipment, or who operate personal vehicles on City of Keene-related business, shall be subject to the standards established in this policy.

This policy establishes minimum standards for the qualification of employees and applicants to operate City of Keene vehicles and motorized equipment.

This policy shall apply to:

- Employees driving City of Keene owned, leased or rented vehicles or motorized equipment.
- Employees receiving a monthly car allowance, or who use personal vehicles for City of Keene related business.

Definitions

The City of Keene Vehicles – any passenger car, pickup, truck or other similar vehicle that is owned, leased, rented, or otherwise under the care, custody, or control of the City of Keene. A City of Keene vehicle shall also include vehicles driven by employees receiving a car allowance and personal vehicles.

Motorized Equipment – this category includes, but it not limited to, backhoes, dozers, mower-tractors, loaders, graders, and other similar equipment.

Preventable Accident – any accident involving a City of Keene vehicle or piece of motorized equipment that results in property damage and/or personal injury in which the driver in question failed to exercise every reasonable precaution to prevent the accident. The preventability of an accident shall be determined from the investigative results of the appropriate law enforcement agency.

Personal Vehicles – privately owned vehicles used to conduct City of Keene business, and for the use of which the driver is eligible to claim mileage reimbursement under federal law.

Driving Records – the complete driving history of an employee, as can be discerned from any official records, including Texas Department of Public Safety Driver Record Information Reports.

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Responsibilities

Employees who drive the City of Keene vehicles or operate motorized equipment in the course and scope of their employment shall be required to meet the following minimum conditions of eligibility for driving/operating privileges:

- Have reached the age of 18 years to operate the City of Keene vehicles or motorized equipment.
- Be physically qualified to hold a driver's license and to safely operate a City of Keene vehicle or motorized equipment.
- Have current valid Texas driver's license in the appropriate class as established on the official description for the position and abide by the standards set forth in personnel policy Chapter 3.6 Driving Records.
- Wear seat belts and other relevant safety equipment when operating the City of Keene vehicles or motorized equipment when appropriate.
- Observe all City of Keene vehicle and traffic related policies.
- Observe all laws and ordinances relating to the operation of the City of Keene vehicles or motorized equipment.
- Be responsible for the proper care and use of vehicles or motorized equipment. This includes maintaining the City of Keene vehicle/motorized equipment interiors and exteriors, regularly servicing these items and reporting maintenance needs to the supervisor and operating all City of Keene vehicles/motorized equipment in a manner that conserves fuel and reduces depreciation.
- Employees receiving car allowance shall fulfill all current legal regulations such as insurance, inspection, and registration.

Operator Standards for Current Employees

Employees currently in a position with the City of Keene requiring the operation of City of Keene vehicles or motorized equipment ***shall not*** be eligible for driving/operating privileges if the maximum allowable of six (6) points has been exceeded. The six (6) points is in a consecutive three-year period immediately preceding the date of the record check. Driving record checks for Department of Transportation (DOT) covered positions will consider the preceding five (5) years. Points are assigned based on the system described below:

VIOLATION	POINTS ASSIGNED
At-fault vehicle accident	3
Driving without insurance	3
Speeding	2
Stop sign/red light violation	2
Seat belt violation	2
Driving with expired licenses	2
All other moving violations	1

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Procedures

The following procedures shall be observed under this policy:

- Employees operating City of Keene vehicles or motorized equipment must report to their supervisors any accident involving said vehicles as soon as possible and no later than twenty- four (24) hours of the occurrence.
- Employees who are in jobs that require the driving/operating of City of Keene vehicles or motorized equipment shall report any driver's license suspensions to their immediate supervisor within twenty-four (24) of the suspension.
- Failure to report license suspensions, failure to maintain the required driver's license, or failure to meet minimum driving record criteria will be sufficient grounds for removal from driving privileges and may subject the employee to disciplinary action, up to and including termination.
- Each January the Human Resource Department will compile a list of all personnel who have driving or motorized equipment operation responsibilities. This list shall include the employee's name, date of birth, and current driver's license number and will be used to conduct checks on driving records through a motor vehicle record check of a random sampling of employees. The motor vehicle record reflects the past three years of a driving record. The City Manager and appropriate department head will be notified of any employee whose driving record fails the criteria set forth in this policy.
- Employees who have been ruled ineligible for driving privileges may have their privileges reinstated provided the employee successfully completed a certified defensive driver training program approved by the City Manager and submits evidence of satisfactory completion to the Director of Human Resources. The reinstatement privilege does not apply for violations including charges of driving while intoxicated or under the influence.
- An employee who has been ruled ineligible for driving privileges may use the defensive driving course option only once every three (3) years in order to have his/her eligibility status reinstated.

Employees who have been ruled ineligible to drive City of Keene vehicles or equipment due to their driving record may, at the City of Keene sole discretion, be:

- Assigned non-driving responsibilities within their current department, if available; or
- Transferred to another department and assigned non-driving responsibilities, if available; or
- Dismissed, if neither of the above alternatives can be achieved within twenty (20) working days.
- All non-driving responsibilities must have prior approval of the Department Director.

Employees who receive a car allowance and become ineligible for driving privileges shall have their car allowance revoked and shall not be permitted to drive on City of Keene related business. Mileage reimbursement recipients who become ineligible for driving privileges shall be forbidden to drive their personal vehicles on City of Keene related business.

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Section: SAFETY MANUAL	Reference Number: 201.06
Subject: GENERAL ADMINISTRATIVE POLICIES/PROCEDURES & HIGH-RISK ACTIVITY SAFETY POLICIES	Initial Effective Date: 11/01/2018
Title: RESPIRATORY PROTECTION PROGRAM	Last Revision Date:

The City of Keene Respiratory Protection Program is designed to protect employees by establishing accepted practices for respirator use, providing guidelines for training and respirator selection, and explaining proper storage, use and care of respirators.

Assignment of Responsibility

- **Employer**

The City of Keene is responsible for providing respirators to employees when they are necessary for health protection. The City of Keene will provide respirators that are applicable and suitable for the intended purpose at no charge to affected employees. Any expense associated with training, medical evaluations and respiratory protection equipment will be borne by the employer.

- **Supervisors**

Supervisors are responsible for ensuring that the respiratory protection program is implemented in their particular areas. In addition to being knowledgeable about the program requirements for their own protection, supervisors must also ensure that the program is understood and followed by the employees under their charge. Duties of the supervisor include:

- Ensuring that employees under their supervision (including new hires) receive appropriate training, fit testing, and annual medical evaluation.
- Ensuring the availability of appropriate respirators and accessories.
- Being aware of tasks requiring the use of respiratory protection.
- Enforcing the proper use of respiratory protection when necessary.
- Ensuring that respirators are properly cleaned, maintained, and stored according to this program.
- Ensuring that respirators fit well and do not cause discomfort.
- Continually monitoring work areas and operations to identify respiratory hazards.
- Coordinating with the Program Administrator on how to address respiratory hazards or other concerns regarding this program.

- **Employees**

Each employee is responsible for wearing his/her respirator when and where required and in the manner in which they are trained. Employees must also:

- Care for and maintain their respirators as instructed, guard them against damage, and store them in a clean, sanitary location.
- Inform their Supervisor if their respirator no longer fits well and request a new one that fits properly.

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- Inform their Supervisor or the Program Administrator of any respiratory hazards that they feel are not adequately addressed in the workplace and of any other concerns that they have regarding this program.
- Use the respiratory protection in accordance with the manufacturer's instructions and the training received.
- Perform a positive and negative pressure test prior to using.

Applicability

This program applies to all employees who are required to wear respirators during normal work operations, as well as during some non-routine or emergency operations, such as a spill of a hazardous substance.

In addition, any employee who voluntarily wears a respirator when one is not required (i.e., in certain maintenance operations) is subject to the medical evaluation, cleaning, maintenance, and storage elements of this program, and will be provided with necessary training. Employees who voluntarily wear filtering face pieces (dust masks) are not subject to the medical evaluation, cleaning, storage, and maintenance provisions of this program.

Program

- **Hazard Assessment and Respirator Selection**

The City of Keene will select respirators to be used on site, based on the hazards to which workers are exposed. The proper type of respirator for the specific hazard involved will be selected in accordance with the manufacturers' instructions. A list of employees and appropriate respiratory protection will be maintained by the city.

The following respirators will be used for operations that contain atmospheres that are immediately dangerous to life and health (IDLH):

- A full facepiece pressure demand self-contained breathing apparatus (SCBA) certified by NIOSH for a minimum service life of thirty minutes, or
- A combination full facepiece pressure demand supplied air respirator (SAR) with auxiliary self-contained air supply.
- Respirators provided only for escape from IDLH atmospheres shall be NIOSH certified for escape from the atmosphere in which they will be used.
- All oxygen deficient atmospheres shall be considered IDLH.

Respirators for atmospheres that are not IDLH shall be adequate to protect the health of an employee under routine and reasonably foreseeable emergency situations. The respirator selected shall be appropriate for the chemical state and physical form of the contaminant. Air-purifying respirators (canisters or cartridges) do not provide oxygen and should not be used in situations where the oxygen content in the air is questionable.

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- **Training**

Each department will provide training to respirator users and on the contents of the Respiratory Protection Program and their responsibilities under it. All affected employees and their Supervisors will be trained prior to using a respirator in the workplace. Supervisors will be trained prior to supervising employees that must wear respirators.

The training course will cover the following topics:

- The City of Keene Respiratory Protection Program
- Respiratory hazards encountered and their health affects
- Proper selection and use of respirators
- Limitations of respirators
- Respirator donning and user seal (fit) checks
- Fit testing
- Emergency use procedures
- Maintenance and storage; and
- Medical signs and symptoms limiting the effective use of respirators.

Employees will be retrained annually or as needed (e.g., if they change departments or work processes and need to use a different respirator). Employees must demonstrate their understanding of the topics covered in the training through hands-on exercises and a written test. Respirator training will be documented by the Supervisor and the documentation will include the type, model, and size of respirator for which each employee has been trained and fit tested.

- **NIOSH Certification**

All respirators must be certified by the National Institute for Occupational Safety and Health (NIOSH) and shall be used in accordance with the terms of that certification. Also, all filters, cartridges, and canisters must be labeled with the appropriate NIOSH approval label. The label must not be removed or defaced while the respirator is in use.

- **Voluntary Respirator Use**

The City of Keene shall authorize voluntary use of respiratory protective equipment as requested by all other workers on a case-by-case basis, depending on specific workplace conditions and the results of medical evaluations.

Supervisors will provide all employees who voluntarily choose to wear the above respirators with a copy of the Respiratory Protection Standard. Employees who choose to wear a half face piece Air Purifying Respirator (APR) must comply with the procedures for Medical Evaluation, Respirator Use, Cleaning, Maintenance and Storage portions of this program.

- **Fit Testing**

Employees who are required to or who voluntarily wear half-face piece APRs will be fit tested:

- Prior to being allowed to wear any respirator with a tight-fitting face piece;
- Annually; or
- When there are changes in the employee's physical condition that could affect respiratory fit (e.g., obvious change in body weight, facial scarring, etc)

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Employees will be fit tested with the make, model, and size of the respirator that they will actually wear. Employees will be provided with several models and sizes of respirators so that they may find an optimal fit. Fit testing of powered air purifying respirators will be conducted in the negative pressure mode.

- **General Respirator Use Procedures**

- Employees will use their respirators under conditions specified in this program, and in accordance with the training they received on the use of each particular model. In addition, the respirator shall not be used in a manner for which it is not certified by NIOSH or by its manufacturer.
- All employees shall conduct user seal checks each time they wear their respirators. Employees shall use the positive and negative pressure check.
 - **Positive Pressure Test:** This test is performed by closing off the exhalation valve with your hand. Breathe air into the mask. The face fit is satisfactory if some pressure can be built up inside the mask without any air leaking out between the mask and the face of the wearer.
 - **Negative Pressure Test:** This test is performed by closing of the inlet openings of the cartridge with the palm of your hand. Some masks may require that the filter holder be removed to seal off the intake valve. Inhale gently so that a vacuum occurs within the face piece. Hold your breath for ten (10) seconds. If the vacuum remains, and no inward leakage is detected, the respirator is fit properly.
- Employees are not permitted to wear tight-fitting respirators if they have any condition, such as facial scars, facial hair, or missing dentures that would prevent a proper seal. Employees are not permitted to wear headphones, jewelry, or other ties that may interfere with the seal between the face and the face piece.
- Before and after each use of a respirator, an employee or immediate supervisor must make an inspection of tightness or connections and the condition of the face piece, headbands, valves, filter holders and filters. Questionable items must be addressed immediately by the supervisor.

- **Air Quality**

For supplied-air respirators, only Grade D breathing air shall be used in the cylinders. Cylinders and breathing air cascade systems used to supply breathing air will be tested and maintained in accordance with industry standards.

- **Change Schedules**

Respirator cartridges shall be replaced as determined by the manufacturers' recommendations for use and environment. Cartridge changes may also be needed based upon:

- Expiration date.
- Contaminate odor that is detected by user.
- Restriction of air flow that has occurred resulting in an increase in effort by the user to breathe normally.
- A request by the employee.

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- **Cleaning and Disinfecting**

Respirators are to be regularly cleaned, disinfected, and maintained in a sanitary condition. Respirators issued for the exclusive use of an employee shall be cleaned as often as necessary. Atmosphere-supplying and emergency use respirators are to be cleaned and disinfected after each use.

Respirators will be cleaned using a mild detergent solution in warm water. Respirators will be thoroughly dried before being stored. Place respirators in a clean, dry plastic bag or other airtight container.

- **Maintenance**

Respirators are to be properly maintained at all times in order to ensure that they function properly and protect employees adequately. Maintenance involves a thorough visual inspection for cleanliness and defects. Worn or deteriorated parts will be replaced prior to use. No components will be replaced, or repairs made beyond those recommended by the manufacturer.

- All respirators shall be inspected routinely before and after each use.
- Respirators kept for emergency use shall be inspected after each use, and at least monthly to assure that they are in satisfactory working order.
- The Respirator Inspection Checklist will be used when inspecting respirators.
- A record shall be kept of inspection dates and findings for respirators maintained for emergency use.
- Respirators shall not be placed in places such as lockers or toolboxes unless they are in carrying cartons.
- Respirators maintained at stations and work areas for emergency use shall be stored in compartments built specifically for that purpose, be quickly accessible at all times, and be clearly marked.

- **Respirator Malfunctions and Defects**

Respirators that are defective or have defective parts shall be taken out of service immediately. If, during an inspection, an employee discovers a defect in a respirator, he/she is to bring the defect to the attention of his/her supervisor. Supervisors will give all defective respirators to the Program Administrator.

- **Emergency Procedures**

In emergency situations where an atmosphere exists in which the wearer of the respirator could be overcome by a toxic or oxygen-deficient atmosphere, the following procedure should be followed.

- Employees must never enter a dangerous atmosphere without first obtaining the proper protective equipment and permission to enter from the Program Administrator or supervisor.
- Employees must never enter a dangerous atmosphere without at least one additional person present. The additional person must remain in the safe atmosphere.
- Communications (voice, visual, or signal line) must be maintained between both individuals or all present.

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Section: SAFETY MANUAL	Reference Number: 201.07
Subject: GENERAL ADMINISTRATIVE POLICIES/PROCEDURES & HIGH-RISK ACTIVITY SAFETY POLICIES	Initial Effective Date: 11/01/2018
Title: CONFINED SPACE ENTRY PROGRAM	Last Revision Date:

The purpose of the City of Keene Confined Space Entry Program is to set procedures that will ensure workers' safe entry into confined space and permit-required confined space to perform routine tasks associated with their employment. The confined space program is provided to protect authorized employees that will enter confined space and may be exposed to hazardous atmospheres, engulfed by materials, asphyxiation due to converging or sloping walls, or any other safety or health hazards.

Background

A confined space is defined as any location that is large enough that an employee can bodily enter and perform work, has limited openings for entry and egress, and is not intended for continuous employee occupancy. Examples of confined spaces include: manholes, lift stations, pipes, storage tanks, trailers, tank cars, pits, sumps, hoppers, and bins. Entry into confined space without proper precautions could result in injury, impairment, or death due to:

- an atmosphere that is flammable or explosive;
- lack of sufficient oxygen to support life;
- contact with or inhalation of toxic materials; or
- general safety or work area hazards such as steam or high-pressure materials.

Assignment of Responsibility

• Employer

In administering this Confined Space Program, the City of Keene will:

- Monitor the effectiveness of the program.
- Provide atmospheric testing and equipment as needed.
- Provide personal protective equipment as needed.
- Provide training to affected employees and supervisors.
- Provide technical assistance as needed.
- Review and update the program on at least an annual basis or as needed.

• Entry Supervisors

Entry Supervisor(s) shall be qualified and authorized to approve confined space entry permits.

The Entry Supervisor(s) shall be responsible for:

- Determining if conditions are acceptable for entry.
- Authorizing entry and overseeing entry operations.
- Terminating entry procedures as required
- Serving as an Attendant, as long as the person is trained and equipped appropriately for that role
- Ensuring that measures are in place to keep unauthorized personnel clear of the area
- Verifying that rescue services are available and that the means of summoning them are operable.

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- **Attendants**

Attendant(s) and shall be stationed outside of the confined workspace. The Attendant(s) shall:

- Be knowledgeable of and be able to recognize potential confined space hazards.
- Maintain an accurate count of all persons in the confined space and ensure that entrants sign in and out.
- Monitor surrounding activities to ensure the safety of personnel.
- Maintain effective and continuous communication with personnel during confined space entry, work, and exit.
- Order personnel to evacuate the confined space if he/she:
 - Observes a condition which is not allowed on the entry permit;
 - Notices the entrants acting strangely, possibly as a result of exposure to hazardous substances;
 - Notices a situation outside the confined space which could endanger personnel;
 - Notices a hazard within the confined space that has not been previously recognized or taken into consideration;
 - Must leave his/her workstation; or
 - Must focus attention on the rescue of personnel in some other confined space that he/she is monitoring.
- Immediately summon rescue services if necessary.
- Keep unauthorized persons out of the confined space, order them out, or notify authorized personnel of an unauthorized entry.
- Do not perform duties that might interfere with the attendant's primary duty to monitor and protect the entrants.

- **Entrants/Affected Employees**

Employees who are granted permission to enter a confined space shall:

- Read and observe the entry permit requirements.
- Remain alert to the hazards that could be encountered while in the confined space.
- Properly use the personal protective equipment that is required by the permit.
- Immediately exit the confined space when:
 - They are ordered to do so by an authorized person;
 - They notice or recognize signs or symptoms of exposure.
 - A prohibited condition exists; or
 - The automatic alarm system sounds.
- Alert Attendant(s) when a prohibited condition exists and/or when warning signs or symptoms of exposure exist.

Training

The City of Keene shall provide training so that all employees whose work is regulated by this Confined Space Program acquire the understanding, knowledge, and skills necessary for the safe performance of their duties in confined spaces.

- **Training Frequency**

Supervisors shall provide training to each affected employee:

- Before the employee is first assigned duties within a confined space;
- Before there is a change in assigned duties;

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- When there is a change in permit space operations that presents a hazard for which an employee has not been trained; and
- When the City of Keene has reason to believe that there are deviations from the confined space entry procedures required in this program, or that there are inadequacies in the employee's knowledge or use of these procedures.

The training shall establish employee proficiency in the duties required in this program, and shall introduce new or revised procedures, as necessary, for compliance with this program.

- **General Training**

All employees who will enter confined spaces shall be trained in entry procedures. Personnel responsible for supervising, planning, entering, or participating in confined space entry and rescue shall be adequately trained in their functional duties prior to any confined space entry. Training shall include:

- Explanation of the general hazards associated with confined spaces.
- Discussion of specific confined space hazards associated with the facility, location, or operation.
- Reason for, proper use, and limitations of personal protective equipment and other safety equipment required for entry into confined spaces.
- Explanation of permits and other procedural requirements for conducting a confined space entry.
- A clear understanding of what conditions would prohibit entry.
- Procedures for responding to emergencies.
- Duties and responsibilities of the confined space entry team.
- Description of how to recognize symptoms of overexposure to probable air contaminants in themselves and co-workers, and method(s) for alerting the Attendant(s).

Refresher training shall be conducted as needed to maintain employee competence in entry procedures and precautions.

- **Specific Training**

- Training for atmospheric monitoring personnel shall include proper use of monitoring instruments, including instruction on the following:
 - Proper use of the equipment;
 - Calibration of equipment;
 - Sampling strategies and techniques; and
 - Exposure limits (PELs, TLVs, LELs, UELs, etc.).
- Training for Attendants shall include the following:
 - Procedures for summoning rescue or other emergency services; and
 - Proper utilization of equipment used for communicating with entry and emergency/rescue personnel.

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Identification of Hazards and Evaluation of Confined Spaces

- **Pre-Entry Hazard Assessment**

A hazard assessment shall be completed by the Supervisor prior to any entry into a confined space. The hazard assessment should identify:

- The sequence of work to be performed in the confined space;
- The specific hazards known or anticipated; and
- The control measures to be implemented to eliminate or reduce each of the hazards to an acceptable level.

No entry shall be permitted until the hazard assessment has been reviewed and discussed by all persons engaged in the activity. Personnel who are to enter confined spaces shall be informed of known or potential hazards associated with said confined spaces.

- **Hazard Controls**

Hazard controls shall be instituted to address changes in the work processes and/or working environment. Hazard controls must be able to either control the health hazards by eliminating the responsible agents, reduce health hazards below harmful levels, or prevent the contaminants from coming into contact with the workers.

The following order of precedence shall be followed in reducing confined space risks:

- **Engineering Controls**

Engineering controls are those controls that eliminate or reduce the hazard through implementation of sound engineering practices.

Ventilation is one of the most common engineering controls used in confined spaces. When ventilation is used to remove atmospheric contaminants from a confined space, the space shall be ventilated until the atmosphere is within the acceptable ranges. Ventilation shall be maintained during the occupancy if there is a potential for the atmospheric conditions to move out of the acceptable range. When ventilation is not possible or feasible, alternate protective measures or methods to remove air contaminants and protect occupants shall be determined by the Entry Supervisor prior to authorizing entry.

When conditions necessitate and can accommodate continuous forced air ventilation, the following precautions shall be followed:

- Employees shall not enter the space until the forced air ventilation has eliminated any hazardous atmosphere.
- Forced air ventilation shall be directed so as to ventilate the immediate areas where an employee is or will be present within the space.
- Continuous ventilation shall be maintained until all employees have left the space.
- Air supply or forced air ventilation shall originate from a clean source.

- **Work Practice (Administrative) Controls**

Work practice (administrative) controls are those controls that eliminate or reduce the hazard through changes in the work practices (i.e., rotating workers, reducing the amount of worker exposure, and housekeeping).

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- Personal Protective Equipment (PPE)
If the hazard cannot be eliminated or reduced to a safe level through engineering and/or work practice controls, PPE should be used. The Entry Supervisor shall determine the appropriate PPE needed by all personnel entering the confined space, including rescue teams. PPE that meets the specifications of applicable standards shall be selected in accordance with the requirements of the job to be performed.

Entry Permits

The Confined Space Entry Permit is the most essential tool for assuring safety during entry in confined spaces with known hazards, or with unknown or potentially hazardous atmospheres. The entry permit process guides the supervisor and workers through a systematic evaluation of the space to be entered. The permit should be used to establish appropriate conditions. Before each entry into a confined space, an entry permit will be completed by the Supervisor who will then communicate the contents of the permit to all employees involved in the operation, and post the permit conspicuously near the work location. A standard entry permit shall be used for all entries.

- **Key Elements of Entry Permits**

A standard entry permit shall contain the following items:

- Space to be entered.
- Purpose of entry.
- Date and authorized duration of the entry permit.
- Name of authorized entrants within the permit space.
- Means of identifying authorized entrants inside the permit space (i.e., rosters or tracking systems).
- Name(s) of personnel serving as Attendant(s) for the permit duration.
- Name of individual serving as Entry Supervisor, with a space for the signature or initials.
- Hazards of the permit space to be entered.
- Measures used to isolate the permit space and to eliminate or control permit space hazards before entry (i.e., lockout/tagout of equipment and procedures for purging, ventilating, and flushing permit spaces).
- Acceptable entry conditions.
- Results of initial and periodic tests performed, accompanied by the names or initials of the testers and the date(s) when the tests were performed.
- Rescue and emergency services that can be summoned, and the means of contacting those services (i.e., equipment to use, phone numbers to call).
- Communication procedures used by authorized entrants and Attendants(s) to maintain contact during the entry.
- Equipment to be provided for compliance with this Confined Space Program (i.e., PPE, testing, communications, alarm systems, and rescue).
- Other information necessary for the circumstances of the particular confined space that will help ensure employee safety.
- Additional permits, such as for hot work, that have been issued to authorize work on the permit space.

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- **Permit Scope and Duration**

A permit is only valid for one shift. For a permit to be renewed, the following conditions shall be met before each reentry into the confined space:

- Atmospheric testing shall be conducted, and the results should be within acceptable limits. If atmospheric test results are not within acceptable limits, precautions to protect entrants against the hazards should be addressed on the permit and should be in place.
- The Entry Supervisor shall verify that all precautions and other measures called for on the permit are still in effect.
- Only operations or work originally approved on the permit shall be conducted in the confined space.

A new permit shall be issued whenever changing work conditions or work activities introduce new hazards into the confined space. Any problems encountered during an entry operation shall be noted on the respective permit(s) so that appropriate revisions to the confined space permit program can be made.

Entry Procedures

When entry into a confined space is necessary, the Entry Supervisor may initiate entry procedures, including the completion of a confined space entry permit. Entry into a confined space shall follow the standard entry procedure below.

- **Prior to Entry**

The entire confined space entry permit shall be completed before a standard entry. Entry shall be allowed only when all requirements of the permit are met, and it is reviewed and signed by an Entry Supervisor. The following conditions must be met prior to standard entry

- Affected personnel shall be trained to establish proficiency in the duties that will be performed within the confined space.
- The internal atmosphere within the confined space shall be tested with a calibrated, direct-reading instrument.
- Personnel shall be provided with necessary PPE as determined by the Entry Supervisor.
- Atmospheric monitoring shall take place during the entry. If a hazardous atmosphere is detected during entry:
 - Personnel within the confined space shall be evacuated by the Attendant(s) or Entry Supervisor until the space can be evaluated to determine how the hazardous atmosphere developed; and
 - Controls shall be put in place to protect employees before reentry.
- Before employees are allowed to enter a confined space, all electrical and mechanical energy sources that could affect the employees working in the space shall be physically rendered inoperative, locked out, and tagged. If required the space shall be drained, vented, and cleaned.

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- **Opening a Confined Space**

Any conditions making it unsafe to remove an entrance cover shall be eliminated before the cover is removed. When entrance covers are removed, the opening shall be promptly guarded by a railing, temporary cover, or other temporary barrier that will prevent anyone from falling through the opening. This barrier or cover shall protect each employee working in the space from foreign objects entering the space. If it is in a traffic area, adequate barriers shall be erected.

- **Atmospheric Testing**

Atmospheric test data is required prior to entry into a confined space. Atmospheric testing is required for two distinct purposes: (1) evaluation of the hazards of the permit space, and (2) verification that acceptable conditions exist for entry into that space. If a person must go into the space to obtain the needed data, then Standard Confined Space Entry Procedures shall be followed. Before entry into a confined space, the atmosphere shall be tested for hazardous atmospheres. The internal atmosphere shall be tested with a calibrated, direct-reading instrument for oxygen, flammable gases and vapors, and potential toxic air contaminants, in that order.

All testing equipment shall be approved by a nationally recognized laboratory, such as Underwriters Laboratories or Factory Mutual Systems.

- Verification Testing

A confined space that may contain a hazardous atmosphere shall be tested for residues of all identified or suspected contaminants. The evaluation testing should be conducted with specified equipment to determine that residual concentrations at the time of testing and entry are within acceptable limits. Results of testing shall be recorded by the person performing the tests on the permit. The atmosphere shall be periodically retested (frequency to be determined by Entry Supervisor to verify that atmospheric conditions remain within acceptable entry parameters).

- Acceptable Limits

The atmosphere of the confined spaces shall be considered to be within acceptable limits when the following conditions are maintained:

- Oxygen: 19.5 percent to 23.5 percent;
- Flammability: less than 10 percent of the Lower Flammable Limit (LFL); and
- Toxicity: less than recognized American Conference of Governmental Industrial Hygienists (ACGIH) exposure limits or other published exposure levels [i.e., OSHA Permissible Exposure Limits (PELs) or National Institute of Occupational Safety and Health (NIOSH) Recommended Exposure Limits (RELs)].

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- **Isolation and Lockout/Tagout Safeguards**

All energy sources that are potentially hazardous to confined space entrants shall be secured, relieved, disconnected, and/or restrained before personnel are permitted to enter the confined space. Equipment systems or processes shall be locked out and/or tagged out as required by the City of Keene's Lockout/Tagout Program. Lockout/Tagout of Energy Sources is required prior to permitting entry into the confined space. In confined spaces where complete isolation is not possible, the supervisor shall evaluate the situation and make provisions accordingly.

When there is a need to test, position, or activate equipment by temporarily removing the lock or tag or both, a procedure shall be developed and implemented to control hazards to the occupants. Any removal of locks, tags, or other protective measures shall be done in accordance with the City of Keene's Lockout/Tagout Program.

- **Ingress/Egress Safeguards**

Means for safe entry and exit shall be provided for confined spaces. Each entry and exit points shall be evaluated by the Entry Supervisor to determine the most effective methods and equipment that will enable employees to safely enter and exit the confined space.

Appropriate retrieval equipment or methods shall be used whenever a person enters a confined space. Use of retrieval equipment may be waived by the Entry Supervisor if use of the equipment increases the overall risks of entry or does not contribute to the rescue. A mechanical device shall be available to retrieve personnel from vertical confined spaces greater than five (5) feet in depth.

- **Warning Signs and Symbols**

If the workplace contains permit spaces, the employer shall inform exposed employees, by posting danger signs or by any other equally effective means, of the existence and location of and the danger posed by the permit spaces.

Emergency Response Plan

The City of Keene shall maintain a written plan of action that has provisions for conducting a timely rescue of individuals within a confined space, should an emergency arise. The written plan shall be kept onsite where the confined space work is being conducted. All affected personnel shall be trained on the Emergency Response Plan.

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Contractor Awareness, Duties, and Responsibilities

When a Department arranges for a contractor to perform work that involves permit required confined space entry, the Department shall:

- Inform the contractor in writing that the workplace contains permit spaces and that entry is allowed only through compliance with a permit required confined space entry program.
- Apprise the contractor of the hazards identified and the entity's experience with the confined space and any precautions the entity has implemented for the protection of entity employees.
- Coordinate entry operations with the contractor when both city personnel and contractor personnel who will be working in or near the permit spaces.

Non-Permit Confined Space Entry General Rules

A non-permit confined space shall be defined as a confined space that does not contain or have the potential to contain any hazard capable of causing death or serious physical harm. Prior to entering a non-permit confined space, the employee must practice the following safety rules:

- Check the ventilation system to ensure it is working properly.
- Continuously monitor the atmospheric conditions in the confined space with a portable gas monitor.
- Conduct a thorough observation of the confined space prior to entry to ensure that no unusual circumstances are present. Unusual circumstances include:
 - The presence, sight, or smell, of raw sewage.
 - Unpleasant odors from paint, chemicals, fuels, smoke, etc.
 - Damages or unsafe components such as steps, lids, fall protection devices, and other safety related items.
- Wear all required fall protection and safety related equipment in the confined space.
- Quickly evacuate the confined space if the conditions become unsafe for any reason.

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Section: SAFETY MANUAL	Reference Number: 201.08
Subject: GENERAL ADMINISTRATIVE POLICIES/PROCEDURES & HIGH-RISK ACTIVITY SAFETY POLICIES	Initial Effective Date: 11/01/2018
Title: EXCAVATION & TRENCHING SAFETY PROGRAM	Last Revision Date:

This Excavation Safety Program has been developed to protect employees from safety hazards that may be encountered during work in trenches and excavations. This program is intended to assure that:

- Employees who perform work in excavations are aware of their responsibilities and know how to perform work safely.
- City of Keene has appointed one or more individuals to assure compliance with the requirements of this program.
- The responsibilities of supervisors and employees are clearly detailed.
- All persons involved in excavation and trenching work have received appropriate training in the safe work practices that must be followed when performing this type of work.

Assignment of Responsibility

- **Employer**

In administering the excavation safety program, The City of Keene will:

- Monitor the overall effectiveness of the program.
- Provide atmospheric testing and equipment selection as needed.
- Provide personal protective equipment as needed.
- Provide protective systems as needed.
- Provide training to affected employees and supervisors.
- Provide technical assistance as needed.
- Preview and update the program on at least an annual basis, or as needed.

- **Employees**

All employees who work in or around excavations must comply with the requirements of this program. Employees are responsible for reporting hazardous practices or situations to the City of Keene management, as well as reporting incidents that cause injury to themselves or other employees.

- **Contractors**

Construction projects involving trenching conducted within a municipality or for a political subdivision must comply with the Health & Safety Code, Chapter 756, Subchapter C, Trench Safety, Sections 756.021, 756.022 and 756.023. Contractors are responsible for inspections and assuring the safety of their personnel.

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Training

- **Training Schedule**

- All personnel involved in trenching or excavation work shall be trained in the requirements of this program with assistance from the appropriate supervisors.
- Training shall be performed before employees are assigned duties in excavations.
- Retraining will be performed when work site inspections indicate that an employee does not have the necessary knowledge or skills to safely work in or around excavations, or when changes to this program are made.
- Training records will be maintained by the Human Resource Department and shall include:
 - Date of the training program;
 - Name(s) of the instructor(s) who conducted the training;
 - Name(s) of the employee(s) who received the training.

- **Training Components**

The training provided to all personnel who perform work in excavations shall include:

- The work practices that must be followed during excavating or working in excavations.
- The use of personal protective equipment that will typically be required during work in excavations, including but not limited to safety shoes, hardhats, and fall protection devices.
- Procedures to be followed if a hazardous atmosphere exists or could reasonably be expected to develop during work in an excavation.
- The OSHA Excavation Standard, 29 CFR 1926, Subpart P.
- Emergency and non-entry rescue methods, and the procedure for calling rescue services.
- The City of Keene policy on reporting incidents that cause injury to employees.

Excavation Requirements

- **Utilities and Pre-Work Site Inspection**

Prior to excavation, the site shall be thoroughly inspected by the Supervisor to determine if special safety measures must be taken.

- **Surface Encumbrances**

All equipment, materials, supplies, permanent installations (buildings or roadways), trees, brush, boulders, and other objects at the surface that could present a hazard to employees working in the excavation shall be removed or supported as necessary to protect employees.

- **Underground Installations**

- The location of sewer, telephone, fuel, electric, water, or any other underground installations or wires that be encountered during excavation work shall be determined and marked prior to opening an excavation in accordance with One Call and Railroad Commission of Texas requirements. Arrangements shall be made as necessary with the appropriate utility entity for the protection, removal, shutdown, or relocation of underground installations. Location records shall be kept for one year.
- If it is not possible to establish the exact location of these installations, the work may proceed with caution if detection equipment or other safe and acceptable means are used to locate the utility.
- Excavation shall be done in a manner that does not endanger the underground installations or the employees engaged in the work. Utilities left in place shall be protected by barricades, shoring, suspension, or other means as necessary to protect employees.

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- **Protection of the Public**

Barricades, walkways, lighting, and posting shall be provided as necessary for the protection of the public prior to the start of excavation operations.

- Guardrails, fences, or barricades shall be provided on excavations adjacent to walkways, driveways, and other pedestrian or vehicle thoroughfares. Warning lights or other illumination shall be maintained as necessary for the safety of the public and employees from sunset to sunrise.
- Wells, holes, pits, shafts, and all similar hazardous excavations shall be effectively barricaded or covered and posted as necessary to prevent unauthorized access. All temporary excavations of this type shall be backfilled as soon as possible.
- Walkways or bridges protected by standard guardrails shall be provided where employees and the general public are permitted to cross over excavations. Where workers in the excavation may pass under these walkways or bridges, a standard guardrail and toe board shall be used to prevent the hazard of falling objects.

- **Protection of Employees**

Stairs, ladders, or ramps shall be provided at excavation sites where employees are required to enter trench excavations over four (4) feet deep. The maximum distance of lateral travel (along the length of the trench) necessary to reach the means of egress shall not exceed 25 feet.

- Structural Ramps
 - Structural ramps used solely by employees as a means of access or egress from excavations shall be designed by a competent person. Structural ramps used for access or egress of equipment shall be designed by a person qualified in structural design and shall be constructed in accordance with the design.
 - Ramps and runways constructed of two or more structural members shall have the structural members connected together to prevent movement or displacement.
 - Structural members used for ramps and runways shall be of uniform thickness.
 - Cleats or other appropriate means used to connect runway structural members shall be attached to the bottom of the runway or shall be attached in a manner to prevent tripping.
 - Structural ramps used in place of steps shall be provided with cleats or other surface treatments on the top surface to prevent slipping.
- Ladders
 - When portable ladders are used, the ladder side rails shall extend a minimum of three (3) feet above the upper surface or the excavation.
 - Ladders shall have nonconductive side rails if work will be performed near exposed energized equipment or systems.
 - Ladders will be inspected prior to use for signs of damage or defects. Damaged ladders will be removed from service and marked with "Do Not Use" until repaired.
 - Ladders shall be used only on stable and level surfaces unless secured. Ladders placed in any location where they can be displaced by workplace activities or traffic shall be secured, or barricades shall be used to keep these activities away from the ladders.
 - Non-self-supporting ladders shall be positioned so that the foot of the ladder is one-quarter of the working length away from the support.
 - Employees are not permitted carry any object or load while on a ladder that could cause them to lose their balance and fall.

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- **Exposure to Vehicular Traffic**

Employees exposed to vehicular traffic shall be provided with and shall wear warning vests or other suitable garments marked with or made of reflectorized or high-visibility material. Warning vests shall be worn by flaggers and shall be reflectorized material if worn during night work. Emergency lighting, such as spotlights or portable lights, shall be provided as needed to perform work safely. Proper procedures for work zone traffic control procedures shall be followed in accordance with the Texas Manual on Uniform Traffic Control Devices.

- **Exposure to Falling Loads**

No employee is permitted underneath loads being handled by lifting or digging equipment. Employees are required to stand away from any vehicle being loaded or unloaded to avoid being struck by any spillage or falling materials. Operators may remain in the cabs of vehicles being loaded or unloaded when the vehicles provide adequate protection for the operator during loading and unloading operations.

- **Warning System for Mobile Equipment**

A warning system shall be used when mobile equipment is operated adjacent to the edge of an excavation if the operator does not have a clear and direct view of the edge of the excavation. The warning system shall consist of barricades, hand or mechanical signals, or stop logs. If possible, the grade should be away from the excavation.

- **Hazardous Atmospheres**

The Supervisor will test the atmosphere in excavations over four (4) feet deep if a hazardous atmosphere exists or could reasonably be expected to exist. A hazardous atmosphere could be expected, for example, in excavations in landfill areas, areas where hazardous substances are stored nearby, or near areas containing gas pipelines.

- Adequate precautions shall be taken to prevent employee exposure to atmospheres containing less than 19.5 percent oxygen and other hazardous atmospheres. These precautions include providing proper respiratory protection or forced ventilation of the workspace.
- Forced ventilation or other effective means shall be used to prevent employee exposure to an atmosphere containing a flammable gas in excess of twenty (20) percent of the lower flammability limit of the gas.
- When controls are used that are intended to reduce the level of atmospheric contaminants to acceptable levels, continuous air monitoring will be performed. The device used for atmospheric monitoring shall be equipped with an audible and visual alarm.
- Atmospheric testing will be performed using a properly calibrated direct reading gas monitor. Direct reading gas detector tubes or other acceptable means may also be used to test potentially toxic atmospheres.
- Each atmospheric testing instrument shall be calibrated on a schedule and in the manner recommended by the manufacturer. In addition:
 - Each atmospheric testing instrument will be field checked immediately prior to use to ensure that it is operating properly.

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- **Personal Protective Equipment**

- All employees working trenches or excavations shall wear approved hardhats and safety shoes or boots.
- Employees exposed to flying fragments, dust or other materials produced by drilling, sawing, sanding, grinding, and similar operations shall wear approved safety glasses with side shields.
- Employees performing welding, cutting, or brazing operations, or are exposed to the hazards produced by these tasks, shall wear approved spectacles or a welding face shield or helmet.
- Employees entering bell-bottom pier holes or other similar deep and confined footing excavations shall wear a harness with a lifeline securely attached to it. The lifeline shall be separate from any line used to handle materials and shall be individually attended at all times while the employee wearing the lifeline is in the excavation.
- Employees shall wear approved gloves or other suitable hand protection.
- Employees using or working in the immediate vicinity of hammer drills, masonry saws, jackhammers, or similar high-noise producing equipment shall wear suitable hearing protection.
- Each employee working at the edge of an excavation six (6) feet or deeper shall be protected from falling. Fall protection shall include guardrail systems, fences, barricades, or covers.
- Emergency rescue equipment, such as breathing apparatus, a safety harness and line, and a basket stretcher, shall be readily available where hazardous atmospheric conditions exist or may develop during work in an excavation. This equipment shall be attended when in use. Only personnel who have received approved training and have appropriate equipment shall attempt retrieval that would require entry into a hazardous atmosphere. If entry into a known hazardous atmosphere must be performed, then the Supervisor shall be given advance notice so that the hazards can be evaluated, and rescue personnel placed on standby if necessary.

- **Walkways and Guardrails**

Walkways shall be provided where employees or equipment are permitted to cross over excavations. Guardrails shall be provided where walkways, accessible only to on-site project personnel, are six (6) feet or more above lower levels.

- **Protection from Water Accumulation Hazards**

- Employees are not permitted to work in excavations that contain or are accumulating water unless precautions have been taken to protect them from the hazards posed by water accumulation. Precautions may include special support or shield systems to protect from cave-ins, water removal to control the level of accumulating water, or use of safety harnesses and lifelines.
- If water is controlled or prevented from accumulating by the use of water removal equipment, the water removal equipment and operation shall be monitored by a person trained in the use of that equipment.
- If excavation work interrupts the natural drainage of surface water (such as streams), diversion ditches, dikes, or other suitable means shall be used to prevent surface water from entering the excavation. Precautions shall also be taken to provide adequate drainage of the area adjacent to the excavation. Excavations subject to runoff from heavy rains shall be reinspected by the Supervisor after each rain incident to determine if additional precautions, such as special support or shield systems to protect from cave-ins, water

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removal to control the level of accumulating water, or use of safety harnesses and lifelines, should be used.

- The Supervisor shall inform affected workers of the precautions or procedures that are to be followed if water accumulates or is accumulating in an excavation.

- **Stability of Adjacent Structures**

The Supervisor will determine if the excavation work could affect the stability of adjoining or adjacent buildings, walls, sidewalks, or other structures.

- Support systems (such as shoring, bracing, or underpinning) shall be used to assure the stability of structures and the protection of employees where excavation operations could affect the stability of adjoining buildings, walls, or other structures.
- Excavation below the level of the base or footing of any foundation or retaining wall that could be reasonably expected to pose a hazard to employees shall not be permitted, except when:
 - A support system, such as underpinning, is provided to ensure the safety of employees and the stability of the structure;
 - The excavation is in stable rock;
 - A registered professional engineer has approved the determination that the structure is sufficiently removed from the excavation, so as to be unaffected by the excavation activity; or
 - A registered professional engineer has approved the determination that such excavation work will not pose a hazard to employees.
- Sidewalks, pavements, and appurtenant structures shall not be undermined unless a support system or other method of protection is provided to protect employees from the possible collapse of such structures.
- Where review or approval of a support system by a registered professional engineer is required, the supervisor shall secure this review and approval in writing before the work begins.

- **Protection from Falling Objects and Loose Rocks or Soil**

- Adequate protection shall be provided to protect employees from loose rock or soil that could pose a hazard by falling or rolling from an excavation face. Such protection shall consist of:
 - Scaling to remove loose material;
 - Installation of protective barricades, such as wire mesh or timber, at appropriate intervals on the face of the slope to stop and contain falling material; or
 - Benching sufficient to contain falling material.
- Excavation personnel shall not be permitted to work above one another where the danger of falling rock or earth exists.
- Employees shall be protected from excavated materials, equipment, or other materials that could pose a hazard by falling or rolling into excavations.
- Protection shall be provided by keeping such materials or equipment at least two (2) feet from the edge of excavations, by use of restraining devices that are sufficient to prevent materials or equipment from falling or rolling into excavations, or by a combination of both if necessary.
- Materials and equipment may need to be stored further than two (2) feet from the edge of the excavation if a hazardous loading condition is created on the face of the excavation.
- Materials piled, grouped, or stacked near the edge of an excavation must be stable and self-supporting.

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Protective System Requirements

- **Protection of Employees**

- Employees in an excavation shall be protected from cave-ins by either an adequate sloping and benching system or an adequate support or protective system. The only exceptions are:
 - Excavations made entirely in stable rock; or
 - Excavations less than five (5) feet in depth where examination of the ground by the Supervisor provides no indication of a potential cave-in.
- Protective systems shall be capable of resisting all loads that could reasonably be expected to be applied to the system.

- **Design of Sloping and Benching Systems**

The slope and configuration of sloping and benching systems shall be selected and constructed in accordance with the following options:

- Allowable configurations and slopes
 - Excavations shall be sloped at an angle no steeper than one and one-half (1 1/2) horizontal to one (1) vertical (34 degrees measured from the horizontal), unless one of the options below is used.
 - Slopes shall be properly excavated depending on soil type as shown in 29 CFR 1926, Subpart P, Appendix B.
- Determination of slopes and configurations using 29 CFR 1926, Subpart P, Appendices A and B.

The maximum allowable slopes and allowable configurations for sloping and benching systems shall meet the requirements set forth in these appendices.
- Designs using other tabulated data

The design of sloping or benching systems may be selected from, and shall be constructed in accordance with, other tabulated data, such as tables and charts. The tabulated data used must be in written form and include the following:

 - Identification of the factors that affect the selection of a sloping or benching system.
 - Identification of the limits of the use of the data, including the maximum height and angle of the slopes determined to be safe.
 - Other information needed by the user to make correct selection of a protective system. At least one copy of the tabulated data that identifies the registered professional engineer who approved the data shall be maintained at the jobsite during construction of the protective system.
- Design by a registered professional engineer
 - Sloping or benching systems designed in a manner other than those described in the preceding three options shall be approved by a registered professional engineer.
 - At least one copy of the design shall be maintained at the jobsite while the slope is being constructed
 - Designs shall be in written form and shall include at least the following information;
 - ✓ the maximum height and angle of the slopes that were determined to be safe for a particular project; and
 - ✓ the identity of the registered professional engineers who approved the design

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- **Design of Support, Shield, and Other Protective Systems**

The design of support systems, shield systems, and other protective systems shall be selected and constructed in accordance with the following requirements:

- Designs using 29 CFR 1926, Subpart P, appendices A, C and D
 - Timber shoring in trenches shall be designed in accordance with the requirements of the OSHA guidelines.
 - Aluminum hydraulic shoring shall be designed in accordance with the manufacturer's tabulated data or the requirements of the OSHA guidelines.
- Designs using manufacturer's tabulated data
 - Support systems, shield systems, and other protective systems designed from manufacturer's tabulated data shall be constructed and used in accordance with all specifications, recommendations, and limitations issued or made by the manufacturer.
 - Deviation from the specifications, recommendations, and limitations issued or made by the manufacturer shall be allowed only after the manufacturer issues specific written approval.
 - Manufacturer's specifications, recommendations, and limitations, as well as the manufacturer's written approval to deviate from the specifications, recommendations, and limitations, shall be kept in written form at the jobsite during construction of the protective system(s).
- Designs using other tabulated data

Designs of support systems, shield systems, and other protective systems shall be selected from and constructed in accordance with tabulated data, such as tables and charts. The tabulated data shall be in written form and shall include all of the following:

 - Identification of the factors that affect the selection of a protective system drawn from such data.
 - Identification of the limits of the use of such data; and
 - Information needed by the user to make a correct selection of a protective system from the data.

At least one written copy of the tabulated data, which identifies the registered professional engineer who approved the data, shall be maintained at the jobsite during construction of the protective system.

- Design by a registered professional engineer

Support systems, shield systems, and other protective systems designed in a manner other than the preceding three options shall be approved by a registered professional engineer. Designs shall be in written form and shall include:

 - a plan indicating the sizes, types, and configurations of the materials to be used in the protective system; and
 - the identity of the registered professional engineer who approved the design.

At least one copy of the design shall be maintained at the jobsite during construction of the protective system.

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- **Materials and Equipment**

- Materials and equipment used for protective systems shall be free from damage or defects that might affect their proper function.
- Manufactured materials and equipment used for protective systems shall be used and maintained in accordance with the recommendations of the manufacturer, and in a manner that will prevent employee exposure to hazards.
- When materials or equipment used for protective systems are damaged, the Supervisor shall ensure that these systems are examined by a competent person to evaluate suitability for continued use. If the competent person cannot assure that the material or equipment is able to support the intended loads or is otherwise suitable for safe use, then such material or equipment shall be removed from service. The material or equipment shall then be evaluated and approved by a registered professional engineer before being returned to service.

- **Installation and Removal of Supports**

- General
 - Members of support systems shall be securely connected together to prevent sliding, falling, kickouts, or other potential hazards.
 - Support systems shall be installed and removed in a manner that protects employees from cave-ins, structural collapse, or from being struck by members of the support systems.
 - Individual members of the support systems shall not be subjected to loads exceeding those that they were designed to support.
 - Before temporary removal of individual support members begins, additional precautions shall be taken to ensure the safety of employees (i.e., the installation of other structural members to carry the loads imposed on the support system).
 - Removal of support systems shall begin at, and progress from, the bottom of the excavation. Members shall be released slowly. If there is any indication of possible failure of the remaining members of the structure or possible cave-in of the sides of the excavation, the work shall be halted until it can be examined by the Supervisor.
 - Backfilling shall progress in conjunction with the removal of support systems from excavations.
- Additional Requirements
 - Excavation of material to a level no greater than two (2) feet below the bottom of the members of the support system is allowed, but only if the system is designed to resist the forces calculated for the full depth of the trench. There shall be no indications of a possible loss of soil from behind or below the bottom of the support system while the trench is open.
 - Installation of a support system shall be closely coordinated with the excavation of trenches.

- **Sloping and Benching Systems**

Employees are not permitted to work above other employees in the faces of sloped or benched systems, except when employees at lower levels are protected from the hazards of falling, rolling, or sliding material or equipment.

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- **Shield Systems**

- General

- Shield systems shall not be subjected to loads that are greater than those they are designed to withstand.
 - Shields shall be installed in a manner that will restrict lateral or other hazardous movement of the shield and could occur during cave-in or unexpected soil movement.
 - Employees shall be protected from the hazard of cave-ins when entering or exiting the areas protected by shields.
 - Employees are not permitted in trenches when shields are being installed, removed, or moved vertically.

- Additional Requirements

- Excavation of material to a level no greater than two (2) feet below the bottom of the shield system is allowed, but only if the system is designed to resist the forces calculated for the full depth of the trench.
 - There shall be no indications of a possible loss of soil from behind or below the bottom of the shield system while the trench is open.

Accident Investigations

All incidents that result in injury to workers shall be reported and investigated. Investigations shall be conducted by the Supervisor as soon after an incident as possible to identify the causes and means of prevention to eliminate the risk of reoccurrence.

In the event of such an incident, the *Excavation & Trenching Safety Program* shall be reevaluated to determine if additional practices, procedures, or training are necessary to prevent similar future incidents.

Changes to Program

Any changes to the *Excavation & Trenching Safety Program* shall be approved and reviewed by a qualified person as the job progresses to determine additional practices, procedures, or training needs necessary to prevent injuries. Affected employees shall be notified of procedure changes and trained if necessary.

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Glossary of Terms

Accepted engineering practices: the standards of practice required by a registered professional engineer.

Aluminum hydraulic shoring: a manufactured shoring system consisting of aluminum hydraulic cylinders (cross braces) used with vertical rails (uprights) or horizontal rails (wales). This system is designed to support the sidewalls of an excavation and prevent cave-ins.

Bell-bottom pier hole: a type of shaft or footing excavation, the bottom of which is made larger than the cross section above to form a bell shape.

Benching system: a method of protecting employees from cave-ins by excavating the sides of an excavation to form one or more horizontal steps, usually with vertical or near-vertical surfaces between levels.

Cave-in: the movement of soil or rock into an excavation, or the loss of soil from under a trench shield or support system, in amounts large enough to trap, bury or injure and immobilize a person.

Competent person: a person who has been trained to identify hazards in the workplace, or working conditions that are unsafe for employees, and who has the authority to have these hazards corrected.

Cross braces: the horizontal members of a shoring system installed from side to side of the excavation. The cross braces bear against either uprights or wales.

Excavation: any man-made cut, cavity, trench, or depression in an earth surface formed by earth removal.

Faces or sides: the vertical or inclined earth surface s formed as a result of excavation work.

Failure: the movement or damage of a structural member or connection that make it unable to support loads.

Hazardous atmosphere: an atmosphere that is explosive, flammable, poisonous, corrosive, oxidizing, irritating, oxygen deficient, toxic, or otherwise harmful, that may cause death, illness, or injury.

Kickout: the accidental movement or failure of a cross brace.

Protective system: a method of protecting employees from cave-ins, from material that could fall or roll from an excavation face into an excavation, or from the collapse of adjacent structures. Protective systems include support systems, sloping and benching systems, shield systems, and other systems that provide the necessary protection.

Ramp: an inclined walking or working surface that is used to gain access to one point from another. A ramp may be constructed from earth or from structural materials such as steel or wood.

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Sheeting: the members of a shoring system that retain the earth in position and in turn are supported by other members of the shoring system.

Shield system: a structure used in an excavation to withstand cave-ins and which will protect employees working within the shield system. Shields can be permanent structures or portable units moved along as work progresses. Shields used in trenches are usually referred to as trench boxes or trench shields.

Shoring system: a structure that is built or put in place to support the sides of an excavation to prevent cave-ins.

Sides: see Faces or Sides

Sloping system: sloping the sides of an excavation away from the excavation to protect employees from cave-ins. The required slope will vary with soil type, weather, and surface or near surface loads that may affect the soil in the area of the trench (such as adjacent buildings, vehicles near the edge of the trench, etc.).

Stable rock: natural solid mineral material that can be excavated with vertical sides that will remain intact while exposed.

Structural ramp; a ramp built of steel or wood, usually used for vehicle access. Ramps made of soil or rock are not considered structural ramps.

Support system: a structure used as underpinning, bracing or shoring, which provides support to an adjacent structure, underground installation, or the sides of an excavation.

Tabulated data: tables and charts approved by a registered professional engineer and used to design and construct a protective system.

Trench: a narrow excavation (in relation to its height) made below the surface of the ground.

Trench box or trench shield: see Shield System

Uprights: the vertical members of a trench shoring system placed in contact with the earth and usually positioned so the individual members do not contact each other. Uprights placed so that individual members are closely spaced, in contact with or interconnected to each other, are often called sheeting.

Wales: horizontal members of a shoring system placed in the direction of the excavation face whose sides bear against the vertical members of the shoring system or earth (the uprights or sheeting).

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Section: SAFETY MANUAL	Reference Number: 202.01
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: GENERAL SAFETY RULES	Last Revision Date:

The following are general safety rules for all employees:

- Each employee shall be required to comprehend and abide by the contents of this safety program.
- All accidents, regardless of severity, shall be immediately reported to your supervisor.
- All hazardous conditions, actions, and/or practices shall be reported to your supervisor.
- Work areas, including the inside and outside of vehicles and buildings, shall be kept clean and orderly at all times.
- Employees shall only operate equipment/tools that they are trained and authorized to operate.
- Smoking shall be prohibited in areas where there is a danger to equipment, materials, co- workers or buildings, or where 'No Smoking' signs are posted.
- Employees shall use all safety devices and personal protective equipment provided for their protection.
- Employees shall wear clothing and shoes suitable for the particular work they are doing.
- Employees shall use assisted lifting devices or obtain assistance from a coworker when lifting heavy objects.
- Guards shall never be removed except when authorized to make repairs or adjustments. Replace guard immediately upon completion of work.
- Before starting work on any machine or equipment that is out of service, employees shall render the equipment or machine inoperative and attach a lockout device to the equipment control.
- The use of drugs and alcohol during working hours is prohibited. Any employee reporting to work under the influence of alcohol or controlled substances shall be subject to disciplinary action.
- Any employee taking prescription drugs or over-the-counter drugs that could impair assigned work shall report this fact to the supervisor as soon as possible.
- Employees shall not engage in practical jokes or horseplay.

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Section: SAFETY MANUAL	Reference Number: 202.02
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: CELLULAR TELEPHONES & WIRELESS COMMUNICATION DEVICES	Last Revision Date:

Mobile telephones and other wireless communication devices can be a distraction to workers in many areas. Communication devices should never create a safety issue for any employee. The following rules have been established to assist in maintaining a safe working environment:

- During working hours, personal telephones should only be used for high-priority (i.e., family issues, emergencies, etc.) personal communication and not for mere casual use.
- If a phone or other device is to be used for work/business purposes and must be used from a vehicle or piece of equipment, the vehicle should be safely stopped, preferably off the road, and placed in park prior to receiving or placing a call.
- If a call must be placed or received from the field, the worker should stop the work and must ensure that the area and personnel in the work area are safe prior to phone usage.
- Telephone ringers should be placed to minimum volume or vibrate mode to ensure that others will not be startled by the ring.

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Section: SAFETY MANUAL	Reference Number: 202.03
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: JOB, TASK, & PROJECT BRIEFINGS	Last Revision Date:

The Supervisor in charge of each individual work group is responsible for conducting a job/task/project briefing to all affected employees prior to work commencing. The briefing should address the following subjects, at a minimum:

- Brief overview of the job to be completed
- Hazards associated with the job
- Work procedures involved in completing the job
- Special necessary precautions
- Energy source controls
- Personal protective equipment requirements

If the work or operations to be performed during the work day are repetitive and similar, at least one job briefing shall be conducted before the start of the first job each day. Additional job briefings are required if significant changes, which might affect the safety of employees, occur throughout the course of the work.

A brief discussion is satisfactory if the work involved is routine and if all employees, by virtue of training and experience, can reasonably be expected to recognize, avoid, and protect themselves against the hazards involved with the job. A more extensive discussion should be held if the work is complicated or extremely hazardous, or if employees cannot be expected to recognize, avoid, and protect against the hazards.

An employee working alone need not conduct a job briefing. However, the Supervisor should ensure that the tasks to be performed are planned as if a briefing were required.

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Section: SAFETY MANUAL	Reference Number: 202.04
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: WORKING ALONE	Last Revision Date:

While it is not necessarily hazardous to work alone, work exposures combined with the fact that the employee is alone require preparation by the entity, supervisor, and employee. Whether a situation is high or low risk will depend upon the type of work, location, interaction with the public, or consequences of an accident, injury or emergency.

High risk activities include working from heights, confined spaces, electrically charged devices, hazardous materials or chemicals, power equipment, high-pressure devices, and potentially violent people. Such exposures may require additional employees or significant preparation so that the employees are knowledgeable about hazards and a determination by supervisors that lone workers have demonstrated the capability to work safely and independently.

To help ensure the safety of a person working alone, consider the following actions:

- Assess potential workplace hazards.
- Talk with employees about the assigned tasks, discussing exposures and solutions.
- Avoid having to work alone during high risk jobs.
- Take corrective action to prevent or minimize the risks of working alone.
- Provide appropriate safety training and education.
- Establish a check-in procedure for staff.
- Schedule high risk tasks during normal business hours or when another worker capable of helping is present.
- Report all unsafe situations, incidents, and near misses, particularly if working alone would have increased or did increase the severity of the situation.

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Section: SAFETY MANUAL	Reference Number: 202.05
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: CHEMICAL HANDLING & STORAGE	Last Revision Date:

General Handling and Storage Guidelines

The risks associated with handling and storage of chemicals can be considerably reduced by following the actions listed below.

- A comprehensive chemical list should be maintained at each worksite or facility and include all chemicals or products at that site.
- A material safety data sheet (MSDS) should be maintained for each chemical or product on-hand at a particular worksite. See *Hazard Communication Policy* for additional details.
- Chemical storage should be minimized to only those chemicals which will be actively used. All other shall be disposed of properly.
- Any chemicals with missing labels shall be disposed of properly.
- Employees should use the appropriate personal protective equipment handling chemicals.
- Employees should not use chemicals that they are unfamiliar with or have not been trained to use.
- Chemicals should be stored in proper containers designed for such use.
- Chemicals should be stored such that they will not react with other chemicals, substances, or materials.
- All chemical containers should be labeled as to the contents, reactivity, flammability, special hazards, and any other health hazard using the appropriate chemical label.

Chemical Safety Guidelines

- **Acids**
 - Store large bottles of acids on lower shelves or on trays in acid cabinets or a cabinet marked “Corrosive”.
 - Segregate oxidizing acids from organic acids, flammables, and combustible materials.
 - Segregate acids from bases, active metals (sodium, potassium, magnesium) and other incompatible materials.
 - Use bottle carriers or a cart to transport acid bottles.
 - Have spill control materials or acid neutralizers available in the event of a spill. Do not use bases to neutralize an acid spill.
- **Bases**
 - Store large bottles of liquid bases on trays in cabinets marked as “Bases” or “Corrosives”.
 - Segregate bases from acids and other incompatible materials.
 - Store solutions of inorganic hydroxides in polyethylene containers.
 - Have spill control materials or caustic neutralizers for caustic spills. Do not use acids to neutralize base (caustic) spills

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- **Flammables**
 - Only store flammable liquids in specially designed ‘flammable-safe’ cabinets.
 - Keep flammables away from sources of heat or ignition.
 - Keep fire extinguishing and spill control equipment readily available.
- **Oxidizers**
 - Store oxidizers in a cool, dry location and away from flammable or combustible materials, such as paper or wood products.
 - Store oxidizers away from petroleum-based products.
- **Compressed Gases**
 - Compressed gas cylinders should be stored in an upright position and secured to prevent accidental tipping or falling.
 - Cylinders should be stored with the protective cap in place.
 - All cylinders should be labeled as “Full”, “In-Use”, or “Empty”.
 - Cylinder should not be carried or rolled but should be transported using a cylinder cart.
 - For additional details on compressed gases, see the *Compressed Gas Safety* section in this manual.

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Section: SAFETY MANUAL	Reference Number: 202.06
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: COMPRESSED GAS CHLORINE SAFETY	Last Revision Date:

The following procedures are designed to explain proper safety precautions and rules regarding the safe handling of compressed gas chlorine.

Changing Chlorine Cylinders (Non-Emergency)

This procedure should be followed for any and all compressed gas cylinders (150 pound and/or 1 ton). A minimum of two, properly trained, and competent personnel should perform this task.

- Turn on the light, if equipped, and visually ensure that the room is safe to enter as there may be visual signs of danger or damage.
- Don appropriate personal protective equipment including protective gloves, eye protection, face shield, and self-contained breathing apparatus (SCBA). An escape respirator should not be used for this function.
- Turn on the exhaust ventilation fan prior to entering the area.
- Close the main chlorine container valve.
- Allow the system to purge itself of chlorine gas. Ensure the float drops to the bottom of the feed-rate indicator (rotameter). Verify the vacuum and that the scales, if equipped, read 'zero', indicating an empty cylinder.
- Loosen the chlorinator (auxiliary valve or vacuum regulator) and remove it from the empty cylinder.
- Replace the protective cylinder cap on the empty cylinder and remove the cylinder to the appropriate storage area. Be sure the cylinder is secured and properly labeled as 'Empty'.
- Secure the new cylinder into place, removing the protective cap after placement.
- Ensure that there is no chlorine leaking from the packaging gland. Use ammonia vapor from the ammonia test solution bottle (25% ammonia).
- Ensure the cylinder valve is closed. Do not open the valve yet.
- Remove the cylinder outlet cap and check that the cylinder outlet face is clean and smooth.
- Using a new washer, connect the vacuum regulator or the yoke assembly (whichever is used on the particular system) to the valve outlet using only the proper wrench.
- Briefly open the chlorine cylinder valve and then quickly close it again. This will let enough chlorine into the lines to charge them. The valve should remain open with no more than a sharp rap from the heel of your hand. Never use a 'cheater' or 'helper' wrench or larger wrench than supplied. If the valve will not open, carefully and slightly loosen the packing gland.
- Check that all connections are secure that there are no leaks. Use the vapor from the ammonia test solution bottle (25% ammonia). If a leak is indicated, activate the proper leak control procedure.

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- When no leaks are indicated, open the chlorine cylinder valve no more than one half turn and leave the cylinder wrench in place on the valve.
- Open any additional system valves and test for leaks using the vapor ammonia test solution bottle as each stage is charged with chlorine.
- Ensure that the alarm system, if equipped, is properly functioning.
- Once safely outside the chlorine room/area, remove personal protective equipment.

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Section: SAFETY MANUAL	Reference Number: 202.07
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: FALL PREVENTION	Last Revision Date:

Slips, trips, and falls constitute a large percentage of accidents and injuries in public entities. These procedures are designed to prevent hazardous conditions that could result in slips, trips, or falls.

Supervisor Responsibilities

Conduct routine inspections to ensure all walking and working surfaces are free from potential slip, trip, and fall hazards.

- Conduct safety training for employees who use ladders, scaffolds, or other elevated surfaces.
- Conduct training in the use and inspection of fall prevention and fall arrest equipment.
- Ensure proper ladders are used for specific tasks.
- Provide adequate fall prevention and fall arrest equipment.

Employee Responsibilities

- Maintain work areas free from potential slip, trip, and fall hazards.
- Correct or immediately report potential slip, trip, and fall hazards.
- Use proper ladders for assigned tasks.
- Use proper fall prevention and fall arrest equipment as prescribed by policies.

Engineered and Administrative Hazard Controls

Although every effort is made to prevent slips, trips, and fall accidents, additional precautions should be taken to ensure all possible measures have been taken. These include:

- Proper construction of elevated work surfaces.
- Proper use of hand, knee, and toe rails, where required.
- Proper design and use of fixed ladders and stairs.
- Adequate lighting in all areas.
- Training for all employees who work on elevated work surfaces.
- Routine inspections of ladders, stairs, walking, and working surfaces.
- Following housekeeping and cleaning requirements
- Immediate addressing potential problem areas.

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General Requirements

- **Housekeeping**

- All work areas, passageways, storerooms, and shop areas should be kept clean and orderly at all times.
- The floor of every work area shall be maintained in a clean and dry condition as possible. Where wet operations are held, adequate drainage should be maintained, and non-slip mats or floor covering shall be provided.
- Every floor, work area, and passageway shall be kept free of protruding nails, splinters, holes, debris, and stored items.

- **Aisles and Passageways**

- Aisles and passageways shall be kept clear and in good repair with no obstructions across or in aisles that could cause a hazard.
- Where mechanical equipment is used, aisles should be of adequate width as improper aisles coupled with poor housekeeping, vehicle and foot traffic, can cause injury to employees, damage to equipment and materials, and can limit egress in the event of an emergency.
- Changes in elevation, such as steps, curbs, and ramps, should be marked or highlighted with a stripe of highly-visible paint or other non-skid material to assist in the identification of the known trip and fall hazard.

- **Guarding Floor and Wall Openings**

Floor openings and holes, wall openings and holes, and the open sides of elevated work surfaces may create hazards as people may fall through the openings or over the side to the level below. Objects such as tools or parts, may also fall through holes and strike employees or damage machinery on lower levels.

- Standard railings shall be provided on all exposed sides of a stairway opening, except at the stairway entrance.
- Floor openings may be covered rather than guarded with rails. However, temporary guard rails shall be placed when the opening is uncovered.
 - A 'standard railing' consists of a top rail, mid rail, and posts, and shall have a vertical height of 42 inches from the upper surface of the rail to the walking surface. Nominal height of the mid rail shall be 21 inches.
 - A 'standard toe board' is 4 inches in vertical height, with not more than ¼ inch clearance above floor level.

- **Guarding of Open-Sided Floors, Platforms, and Runways**

Every open-sided floor or work surface located 4 feet or more above the adjacent floor or ground level shall be guarded by a standard railing (as specified above) on all open sides, except where there is an entrance to a ramp, stairway, or fixed ladder. A toeboard shall be provided as well.

- **Guarding Stairways**

Every flight of stairs, with four or more risers, shall have standard stair railings or standard handrailings (as specified above).

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- **Fixed Industrial Stairs**

Fixed industrial stairs shall be provided for access to and from places of work where operations necessitate regular travel between levels. These stairs shall:

- Be strong enough to carry five times the normal anticipated live load.
- At the very minimum, be able to carry a moving concentrated load of 1000 pounds.
- Have a minimum width of 22 inches.
- Be installed at angles to the horizontal of between 30 and 50 degrees.
- Have a vertical clearance to an overhead obstruction of at least 7 feet from the leading edge of the tread.

- **Portable Ladders**

The primary hazard associated with the use of a ladder is falling. A poorly designed, maintained, or improperly used ladder may collapse under the load placed upon it and cause the employee to fall.

For specific safety procedures for different types of ladders, see the section on *Ladder Safety* in this manual.

- **Fixed Ladders**

A fixed ladder is a ladder permanently installed or attached to a structure, building, or equipment. Fixed ladders with a length of more than 20 feet shall be equipped with a safety cage or ladder safety device. A 'cage' is a guard that is fastened to the side rails of the fixed ladder or to the structure designed to encircle the climbing space of the ladder for the safety of the person who must climb the ladder. Cages should extend a minimum of 42 inches above the top of the landing unless another acceptable fall protection is provided.

- **Scaffolds**

- The footing or anchorage for scaffolds shall be sound, rigid and capable of carrying the maximum intended load without settling or displacement. Unstable objects, such as barrels, boxes, loose brick, or concrete blocks shall not be used to support scaffolds or planks.
- Scaffolds and their components shall be capable of supporting at least *four times* the maximum intended load.
- Scaffolds shall be maintained in a safe condition and shall not be altered or moved horizontally while they are in use or occupied.
- Damaged or weakened scaffolds shall be immediately repaired and shall not be used until repairs have been completed.
- A safe means must be provided to gain access to the working platform level through the use of a ladder, ramp, etc.
- Overhead protection must be provided for personnel on a scaffold exposed to overhead hazards.
- Guardrails, mid rails, and toe boards must be installed on all open sides and ends of platforms more than 10 feet above the ground or floor. Wire mesh must be installed between the toe board and the guardrail along the entire opening, where persons are required to work or pass under the scaffolds.

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- Employees shall not work on scaffolds during storms or high winds or when covered with ice or snow.

Fall Arrest Systems

Different types of personal fall arrest systems are available depending upon the nature of work and the specific conditions in the area where the work will take place.

- **Types of Fall Arrest Systems**

- *Personal Fall Arrest* systems are used to stop a fall once it has begun and includes an anchorage and connector, full body harness, lanyard, locking snap hooks, lifeline, and may include a descent control device.
- *Positioning Device* systems prevent falls by supporting the employee in a working position and eliminate the chance for a fall to begin. These systems include a body belt, harness, connector, locking snap hook, and proper anchorage.
- *Personal Fall Protection for Climbing Activities* protects the employee while climbing and anchors at a point that usually adjusts and moves with the climber.

- **Anchorage**

Anchorage is critical, and the selection of the anchoring point shall be carefully chosen. Anchorage points must be permanent, fixed objects that are rated to hold forces several times the employee's weight, including the weight of the equipment that they have with them.

When tying off to anchorage points, it is important to do so in a location where there are no obstacles in the potential path of fall and shall allow no more than 6 feet of free-falling distance, although (2 to 4 feet of free falling distance is recommended). The employee should also understand and account for the additional deceleration distance of the fall arrest system being used.

Body Belts and Harnesses

Only approved full-body harnesses shall be used. All recommendations of the equipment manufacturer shall be met, including care, storage, testing, and replacement.

A harness may be attached to either the center of the back at shoulder level, or above the head. Employees must follow the procedure described below to don their full-body harness:

- Inspect the harness before putting it on.
- Hold the harness by the D-ring and shake the straps into place.
- Release buckled straps and slip them over the shoulders with the D-ring in back.
- Pull the leg strap between the legs and connect to the opposing end.
- Waist strap should be tight but not binding.
- Connect chest straps and position in the middle of the chest.
- Ensure that the harness is snug but allows full movement.

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Section: SAFETY MANUAL	Reference Number: 202.08
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: PERSONAL PROTECTIVE EQUIPMENT	Last Revision Date:

- All employees shall wear clothing suitable for their particular type of work. Loose clothing shall not be worn while working around or near moving machinery or equipment.
- All department-approved special protective clothing or protective devices shall be used by employees when required by policy and/or department supervisors.
- Clothing that is soiled by oil or chemicals should be avoided to prevent skin irritations.
- When work is performed in the vicinity of exposed energized parts of equipment, employees shall remove all exposed conductive articles, such as key or watch chains, rings, wristwatches, or bands, if such articles increase the hazards associated with inadvertent contact with the energized parts.
- Rings or jewelry shall not be worn while climbing on or off structures or vehicles while performing any task where the ring might get caught under or snagged by a projecting item. In addition, rings and wristwatches with metal case and watchbands shall not be worn while working on or near energized equipment or lines.
- Department approved gloves shall be provided to and worn by all employees when work site operations could cause injury to the hands.
- Gloves and long sleeves shall be worn to protect hands and arms when handling cement, brush, sharp objects, hot materials, acids and other chemicals, or when there is a possible exposure to poison ivy.
- Department approved head protection shall be provided to and worn by employees when working in areas where possible danger or head injury exists from impact, falling or flying objects, or from electrical shock and burns.
- Employees shall wear department approved eye and face protection where injury exists from flying objects, glare, liquid splashes, use of line trimmers, edgers, chemicals, grinding, sandblasting, and welding. Eye protection shall be kept in a sanitary and usable condition and shall be replaced when it becomes warped, scratched, or pitted.
- Department approved hearing conservation devices shall be provided to and worn by all employees working in areas where a danger of noise exposure exceeds acceptable levels.
- Employees shall wear footwear suitable to the type of work being performed. Safety boots or shoes shall be worn when required. Wearing of sandals, tennis shoes, loafers or similar footwear shall not be acceptable during working hours for employees serving in labor, maintenance, construction, or inspection positions.
- Department approved life jackets or buoyant work vests shall be worn by all employees when working over or near water where the danger of drowning exists.
- Department approved respiratory protection shall be worn in areas where dangerous air contamination, chlorine, gasses, vapors, fumes, dust, or other hazardous contaminants exist. Additional information regarding respiratory protection can be found in the *Respiratory Protection Program*.

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- Employees required to work in or near the roadway shall wear high visibility clothing, garments, and/or reflective vests.
- Department approved fall protection devices, such as harnesses, lanyards, et., shall be used by all employees when working in an overhead position which may require use of both hands and when there is a danger of falling.
- Protective clothing and equipment shall be used and maintained in accordance with manufacturer's recommendations.

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Section: SAFETY MANUAL	Reference Number: 202.09
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: GENERAL RULES FOR MOTOR VEHICLE & EQUIPMENT OPERATION	Last Revision Date:

- Employees who are authorized to operate City of Keene vehicles or personally owned vehicles on City of Keene business, must have a valid Texas driver's license for the class vehicle they operate and must notify their supervisor immediately should the license be suspended or revoked.
- Motor vehicle record checks will be conducted annually on all employees who have driving or motorized equipment operation responsibilities.
- The certificate of insurance coverage and other required documents, along with accident forms should be carried in all City of Keene owned vehicles.
- All drivers of City of Keene vehicles must be familiar with and abide by all applicable state, federal, and local traffic regulations.
- All drivers/operators shall be responsible for the proper care and use of vehicles and motorized equipment. This includes maintaining City of Keene vehicle/motorized equipment interiors and exterior, regularly servicing these items and reporting maintenance needs to the supervisor.
- A driver/operator shall not permit any unauthorized persons to drive, operate or ride in or on a City of Keene vehicle. Riders shall not be allowed on running boards, tailgates, fenders, bumpers, atop cabs, on tow bars, or towed equipment. (Exceptions may include operator trainees and mechanics sharing operator positions.)
- Every accident involving personal injury or property damage shall be reported to your supervisor immediately.
- Where seat belts are provided, they shall be worn by all occupants. The size or operation of the vehicle or equipment does not excuse the operator from the seat belt requirement.
- Equipment on all City of Keene motor vehicles must conform to state, federal, and Department of Transportation (DOT) regulations.
- Unsafe and discourteous driving practices such as 'road-hogging', disregarding the rights of pedestrians, violating traffic regulations, and deliberate recklessness of any kind are prohibited.
- Getting in or out of a vehicle/mobile equipment while it is in motion is prohibited, as is riding anywhere on the vehicle/mobile equipment not designed for passengers. Do not get out of a vehicle/mobile equipment and leave the motor running, or driver/operate with a door ajar.
- Personnel should maintain three points of contact with mobile equipment when entering and exiting to help in maintaining balance if a slip occurs. Many injuries occur as a result of slips and using three points of contact will help control this exposure. In addition, the condition of the handrails, steps, etc. should be inspected regularly.
- Smoking is prohibited in any areas where fueling is being performed.
- Except in emergencies, gasoline must not be carried inside passenger cars or the cabs of trucks. Gasoline shall be transported in approved safety containers and sealed tight to prevent the leakage of gasoline or gasoline vapors.

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- Garage doors must be opened for ventilation whenever a motor vehicle engine is running to help prevent the accumulation of carbon monoxide gas.
- Keys shall be removed from unattended vehicles and equipment. Doors should be locked for security purposes.
- Driving a vehicle under the influence of alcohol or any controlled substance will not be tolerated. Never attempt to perform work or drive a vehicle when you are impaired by alcohol, medication, or drugs, including over-the-counter or prescription medications.
- Picking up hitchhikers is dangerous and prohibited.
- Before starting out in your vehicle in the morning, clear all windows of any frost, ice, or dew. Cleaning only a small place on the windshield does not allow for proper visibility.
- Driving is a full time job. Drivers should not engage in other activities, such as dialing a telephone, while operating a vehicle. The vehicle should be pulled off the road and stopped before performing these types of activities.
- Driving at the maximum posted speed limit can be too fast for safety in some situations. The drivers of all vehicles must use good judgment and proceed at a pace suitable to conditions of the vehicle, road, traffic, and weather.
- All vehicle cabs should be kept clean to reduce distractions to drivers and interference with the operation of the vehicle or equipment.

Backing

- When possible, park so that backing is not required.
- Extreme caution shall be exercised when backing any vehicle. If another employee is present, he/she shall act as a spotter to assist the driver in backing safely. Drivers shall stop immediately if they lose sight of the spotter.
- Backup alarms are a useful warning device and should be used when possible, especially on larger vehicles and equipment that may severely restrict your view to the rear of the vehicle. If an alarm is not present, the operator should honk his horn to warn others of the moving vehicle.

Stopping on Roadways

- When it is necessary to stop on the roadway, extreme caution shall be used.
- A rotating beacon light shall be used, if so equipped.
- Tail lights/emergency flashers shall be used.
- If work is in progress, traffic control devices shall be used in accordance with the Texas Manual on Uniform Traffic Control Devices, Part VI. Please see additional information in the *Work Zone Traffic Control Safety* section of this manual.

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Inspection of Vehicles and Equipment

- Drivers/operator shall utilize equipment checklists to inspect vehicles and equipment to determine if they are in good operating condition *prior* to operating the vehicle.
- The driver/operator shall determine that brakes are in good operating condition before using the vehicle or equipment. If brakes are not working properly, they must be corrected before use.
- The driver/operator shall report all defects promptly. Items that affect safety shall be repaired prior to continued use.

Powered Carts & Low-Speed Vehicles

Powered carts and other low-speed vehicles (LSV) such as golf carts, 'Mules', 'Gators', etc. should be driven with special care. This classification of vehicle includes those which are electric-, gasoline-, or diesel-powered (LSV) and may or may not be licensed to operate on public roadways. Vehicles not licensed (registered) by the Texas Department of Public Safety as an on-road vehicle should not be driven on public roadways.

The following operating rules apply to powered carts & LSV:

- Only drivers authorized by the City of Keene and trained in the safe operation of powered carts and LSV shall be permitted to operate such vehicles.
- All prospective cart or LSV operators must receive training before being allowed to operate a powered cart or LSV.
- Seatbelts must be worn by all vehicle occupants at all times. The maximum number of passengers is equal to the number of seatbelts in the vehicle. All passengers must be in a seat while the cart is moving - no exceptions. Drivers violating this safety rule may have their driving privileges suspended or revoked.
- Operators and passengers shall keep arms and legs inside the cart or LSV at all times and shall not jump on or off of moving vehicles.
- Powered carts or LSV shall be driven on facility vehicle traffic areas whenever possible. If a sidewalk must be used, the cart speed should not exceed that of the pedestrian traffic.
- Carts or LSV which are capable of reaching 25 mph or higher must remain in facility vehicle traffic areas and should not be driven on the sidewalks or "pedestrian only" areas.
- Operators shall be familiar with and observe all established traffic laws.
- Materials and equipment shall be properly secured so that they will not shift or fall off of moving carts or LSV.
- Powered carts & LSV shall not be operated at night without properly working head and taillights.
- Be extremely cautious while making turns and while driving on uneven surfaces to avoid tipping in carts.
- Parking a powered cart or LSV should follow the same rules as a motor vehicle and is prohibited in the following areas:
 - Fire Lanes
 - Designated no parking areas
 - Adjacent to building entrances or exits

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Section: SAFETY MANUAL	Reference Number: 202.10
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: REFUSE COLLECTION SAFETY	Last Revision Date:

Personal Protective Equipment

- Gloves shall be worn by all employees while handling cans, bags, boxes, carts, any refuse, etc.
- Protective eyewear shall be available and worn whenever items that could cause an eye injury are being handled.
- Appropriate footwear with anti-slip soles shall be worn. Leather work boots with good ankle support are recommended.
- High visibility clothing shall be worn by employees at all times when working in or around the roadway.

Material Handling

- Employees should size up the load and the weight to be lifted before attempting to lift. This is done by holding the container at the top and rocking it back and forth. If it is too heavy, get help.
- Get a firm grip on the handle or top edge of the container with one hand, tip the container, then grasp the bottom edge of the container with the other hand.
- If the waste is in boxes, check the weight and condition of the box before lifting. Grasp the box with the fingers and palm of one hand around the top of one corner of the box; place the other hand at the bottom near the opposite corner.
- When handling plastic bags, always grab bags by the neck. Sharp objects can protrude through the bag and puncture hands and arms.
- If the container is in an area where there are potholes, or the ground is uneven, move the container to a safer area before attempting to lift.
- Tips for safe lifting:
 - Size up the load
 - Keep feet apart, establish a good base of support
 - Bend at the knees and hips, not at the waist
 - Get a good grip
 - Keep the load close
 - Lift with your legs
 - Pivot, do not twist your body

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Control of Falls

- Jumping on or off a moving truck is prohibited. When exiting or entering the truck, “three points of contact” should be maintained at all times to provide adequate control.
- To get off the platform (step) at the back of the truck, wait until the truck has come to a complete stop. Make sure you have good footing when you reach the ground.
- Step off onto wet grass or icy surfaces slowly and carefully.
- Make sure your foot has made good contact with the platform or step before getting back into the truck. Signal the driver to move only when you are ready.
- Always look in the direction that the truck is traveling. Watch out for low hanging tree limbs, brush, utility poles, etc. Do not ride the platform with your body leaning out beyond the body of the truck any farther than necessary.
- Do not lie, sit, or squat on the platform while the truck is moving.
- Never ride the platform while the truck is backing up, exceeding 10 miles per hour, or traveling more than 0.2 miles (three city blocks) without stopping. Spotters shall be used anytime a truck is backing up.
- Watch for oil or grease on platforms, streets, and sidewalks.

Packer Operation

- Never activate the packer while standing in front of it; always stand to the side with head and eyes turned away.
- One crew member should be solely responsible for operating the packing mechanism.
- The packer operator must be completely familiar with the location and operation of all controls and know how to stop the packer in an emergency.
- Do not overload the hopper or stick hands in while the packer is operating.
- The packing mechanism should be inspected and serviced according to the manufacturer’s operating manual.

Vehicle Operation and Condition

- A spotter shall always be used anytime a truck is backing up. Standard, agreed upon hand signals should be used. Anytime the spotter leaves the driver’s view in the mirrors, the driver must stop immediately.
- Trucks must be equipped with operational backup alarms.
- The driver will use flashing lights whenever collections are being performed.
- Know your vehicle’s height and width clearances and be cautious near low hanging wires and tree limbs.
- Keep your truck in good condition. A pre-trip inspection shall be conducted each day.
- A fire extinguisher, first aid kit, and water shall be provided on the trucks.
- Keep bottles, cans, boxes, and other debris off the floor of the cab.

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Knuckle Boom Truck Operation Safety

- Operator should be properly dressed in work boots, gloves, safety glasses, hard hat, protective clothing and a high visibility vest.
- Always turn on hazard lights and set parking break when on site.
- Ladder must be clean and free from grease and oil.
- Seat belt must be worn when in operator seat
- Use extreme caution when lowering stabilizers.
- Operator must always know helper's location.
- Under no circumstances should employees or other persons walk under loader.
- When a wire is broken, gas meter pulled, water meter broken, cable/phone box is broken, call supervisor immediately.
- If electrical wire is on the truck do not leave the truck until power is turned off.
- Gas meter pulled, and natural gas is blowing, retrieve loader into bed of truck, lift stabilizers and move vehicle up wind of gas, move yourself up-wind, notify supervisor and wait on emergency personnel.
- All equipment used should be properly mounted on truck.
- There should never be anything hanging over or out of the truck.
- Always observe signage.

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Section: SAFETY MANUAL	Reference Number: 202.11
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: ELECTRICAL SAFETY	Last Revision Date:

- Keep electrical cables and cords clean and free from kinks. Never carry equipment by its cords.
- Keep cords out of walkways to prevent damage and trip and fall hazards.
- All electrical tools, equipment, extension cords, etc. shall be inspected on a regular basis. All faulty equipment shall be reported immediately to your supervisor. Lockout or tag the equipment so that others are aware the equipment is damaged. The tool, equipment, or cord shall not be used if it has any defects, such as bad insulation, missing grounds, loose prongs, etc.
- All electrical equipment will be properly grounded.
- Extension cords should not be used in wet or damp areas. For adequate protection, a Ground Fault Circuit Interrupter (GFCI) should be used to protect employees in wet or damp locations.
- All circuit breakers will be identified as to use. Maintain clear access to electrical panels and main power sources at all times. Electrical panels and boxes should be securely fastened.
- All electrical panel boards, boxes, disconnects, switch gears, etc. shall be covered or isolated to prevent accidental contact with energized parts and to protect equipment and wiring from potential contamination.
- Before work begins at a jobsite, the location of electrical lines (underground and above) shall be determined and precautions taken to prevent accidental contact.
- Electrical Lockout/Tagout procedures shall be used when circuits or electrical equipment are being worked on. See *Lockout/Tagout Safety* in this manual.
- Metal ladders shall not be used when working on electrical circuits.
- Exposed light bulbs or fluorescent tubes shall be guarded or recessed in reflectors to prevent accidental breakage.
- To aid in the prevention of electrical shock, 120 volt, single phase, temporary receptacles used at work sites should be used with a GFCI. If a GFCI is not available, an assured equipment grounding conductor program may be used for added protection. Another option in protection from electrical shock involves the use of double insulated equipment.

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Section: SAFETY MANUAL	Reference Number: 202.12
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
	Last Revision Date:

Definitions

- ***Lockout and tagout*** are methods of preventing equipment from being set in motion unexpectedly, which in turn may endanger workers.
- ***Lockout*** is the placement of a lockout device on an energy isolating device to ensure that the energy isolating device and the equipment being controlled cannot be operated until the lockout device is removed.
- ***Lockout device*** is a device that utilizes a positive means such as a lock, either key or combination type, to hold an energy isolating device in the safe position thus preventing the energization of a machine or equipment.
- ***Tagout*** is the placement of a prominent warning device, such as a tag, on an energy isolating device to indicate that the energy isolating device and the equipment being controlled may not be operated until the tagout device is removed. Does not offer the physical protection of lockout.
- An ***energy isolating device*** is a mechanical device that physically prevents the transmission of release of energy. These devices can include, but are not limited to, electrical circuit breakers, disconnect switches, block valves, slip blinds, slide gates, etc.
- ***Energy source*** refers to any courses of electrical, mechanical, hydraulic, pneumatic, chemical, thermal, or any other energy.
- An ***affected employee*** is an employee whose job requires him/her to operate or use a machine or equipment on which servicing, or maintenance is being performed under lockout or tagout, or whose job requires him/her to work in an area in which such servicing or maintenance is being performed.
- An ***authorized employee*** is a person who uses locks and/or tags on machines or equipment while performing service or maintenance activities. An authorized employee and an affected employee may be the same person when the affected employee's duties also include performing maintenance or service on a machine or equipment which must be locked and/or tagged.

Employee Responsibilities

All equipment should be locked out or tagged out to protect against accidental or inadvertent operation when such operation could cause injury to personnel. Employees should never attempt to operate any switch, valve, or other energy isolating device that is locked or tagged out. Employees should be trained on the importance of lockout/tagout procedures. Only authorized employees who have been trained in the procedures should be allowed to apply lockout or tagout.

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Preparations for Lockout/Tagout

- Obtain the lockout/tagout procedures for the equipment. After a review of the procedure, determine if changes may be necessary in the procedure.
- Identify all affected employees that may be impacted by the impending lockout/tagout.
- Obtain necessary supplies, such as locks, tags, etc. that may be needed during the lockout or tagout.

Sequence of Events to Implement Lockout/Tagout

- Notify all affected employees that servicing, or maintenance is required on a machine or equipment and that the machine or equipment must be shut down and locked out to perform the servicing or maintenance.
- If the machine or equipment is operating, shut it down by the normal stopping procedures (depress stop button, open switch, close valve, etc.).
- Deactivate the energy isolating device(s) so that the machine or equipment is isolated from the energy source(s).
- Use lock(s) and/or tag(s) as necessary to prevent the accidental or inadvertent operation of the energy isolating device(s).
- Any stored or residual energy (such as that in capacitors, springs, elevated machine members, rotating flywheels, hydraulic systems, air pressure, steam pressure, gas pressure, etc.) must be dissipated or restrained by methods such as grounding, repositioning, blocking, bleeding down, etc.
- To ensure that the equipment is disconnected from the energy source(s), the authorized employee should follow these listed steps:
 - Check to make sure that no personnel are exposed to possible hazards
 - Verify the isolation of the equipment by operating the push button or other normal operating control(s) or test to make certain the equipment will not operate
 - Return the operating control(s) to the neutral or off position after verifying the isolation of the equipment.
- The equipment or machine should now be locked out.

Sequence of Events to Restore Machine or Equipment to Normal Operations

- Check the machine or equipment and the immediate area around the machine or equipment to ensure that nonessential items have been removed and that the machine or equipment components are operationally intact.
- Check the work area to ensure that all employees have been safely positioned or removed from the area.
- Verify that the controls are in the neutral position.
- Remove the lockout and/or tagout devices and re-energize the machine or equipment.
- Notify affected employees that the servicing or maintenance is completed, and the machine or equipment is ready for use.
- Return or file used lockout and/or tagout devices.

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Employee Training Requirements

- The employer should provide training to ensure that the purpose and function of the energy control program are understood by employees and that the knowledge and skills required for the safe application, usage and removal of the energy controls are acquired by the employees.
- All other employees whose work areas may or may not be in an area where energy control procedures may be utilized should be instructed about the procedure and about the prohibition relating to attempts to restart or re-energize machines or equipment which are locked out or tagged out.

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Section: SAFETY MANUAL	Reference Number: 202.13
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: BLOODBORNE PATHOGEN SAFETY	Last Revision Date:

- Due to potential hazards associated with bloodborne pathogens that cause diseases such as hepatitis and HIV/AIDS, care shall be taken to eliminate contact with blood and body fluids.
- Universal precautions (treating all body fluids as potentially infectious) must be observed at all times.
- Preventative immunizations and vaccinations shall be offered to affected employees as required by *Texas Government Code, Chapter 607, Subchapter A, Section 607.004*.
- Use of appropriate gloves, gowns, faceshields, masks, and eye protection may be necessary to prevent potentially infectious materials from passing through or reaching an employee's work clothes, street clothes, undergarments, skin, eyes, mouth, or other mucous membranes. A specialized mask for administering CPR shall be used.
- Employees shall wash hands and other contaminated body areas and remove all contaminated clothing immediately after administering the first aid.
- Employees shall immediately report all exposures to blood and body fluids to their supervisor so post-exposure care can be initiated.
- Contaminated work surfaces shall be decontaminated with an appropriate disinfectant after completion of procedures or contact with blood or potentially infectious materials.
- Infectious waste shall be placed in closable, leak-proof containers with proper labels and must be disposed of in a proper manner. Any used needles, syringes, etc. should be placed in an approved "sharps" container that will prevent accidental contact with the sharp edge.

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Section: SAFETY MANUAL	Reference Number: 202.14
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: FIRST AID	Last Revision Date:

- All injuries, regardless of severity, shall be reported to your supervisor.
- Preplanning for a potential emergency situation is most valuable. All employees shall be aware of the medical services available and how to obtain them. Emergency phone numbers shall be posted in all work areas.
- Where first aid kits are supplied, employees shall be familiar with the location, contents, and the instructions given with the first aid kit. Each employee shall learn how to use this equipment, so they can render treatment when needed.
- The contents of the first aid kits shall be inspected each month and expended items replaced. Personal medication shall not be kept in first aid kits.
- Where the eyes or body may be exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body shall be provided for emergency use.
- Emergency eye wash and/or shower stations should be tested at least once per month to ensure proper working condition.

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Section: SAFETY MANUAL	Reference Number: 202.15
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: CONFINED SPACE SAFETY	Last Revision Date:

- All potential hazards shall be evaluated prior to entry into a confined space.
- Only employees who have been properly trained on the hazards associated with confined space work shall be allowed to enter a confined space.
- If work is to be performed in a confined space, a written permit system shall be followed. The entry supervisor shall complete the written permit prior to entry to ensure that all safety equipment is in place and acceptable entry conditions are present.
- Before any entrance cover to a confined or enclosed space is removed, it shall be determined that there are no temperature or pressure differences or other hazardous conditions that may injure the employees removing the cover.
- No smoking shall be permitted in a confined space or near the entrance/exit area.
- When covers are removed from confined or enclosed spaces, the opening shall be guarded by a railing, temporary cover, or other temporary barrier.
- Before an employee enters a confined space, the internal atmosphere shall be tested for oxygen content, flammable gases and vapors, and potential toxic air contaminants. Approved and calibrated testing equipment shall be used to measure the concentration of the various gases.
- If an oxygen deficiency is found or if flammable or toxic gases or vapors are detected, the space shall be continuously tested and forced ventilation shall be used to maintain oxygen at a safe level and to prevent a hazardous concentration of flammable or toxic gases and vapors. If the confined space contains atmospheres that are immediately dangerous to life and health, a full facepiece pressure demand self-contained breathing apparatus (SCBA) or combination full facepiece pressure demand supplied air respirator (SAR) with auxiliary self-contained air supply will be used.
- Electric welding, gas welding, cutting, or any other hot work shall not be performed on the interior, exterior, or near the openings of any confined or enclosed space that may contain flammable or explosive gases or vapors until the space has been properly cleared. Monitoring shall be continuous during any hot work activities.
- If a hazard-increasing work activity is to take place in a confined or enclosed space (i.e., welding, painting, working with solvents and coating), the air in the space shall be continuously tested for the presence of flammable or toxic gases and vapors or insufficient oxygen. Forced ventilation shall be used as required.
- Before employees are allowed to enter a confined space, all electrical and mechanical energy sources that could affect the employees working in the space shall be physically rendered inoperative, locked out, and tagged. If required, the space shall be drained, vented, and cleaned.
- A properly trained attendant shall be stationed outside the confined space. The attendant shall maintain continuous communication with the employees authorized to be in the confined space. The attendant shall be able to recognize confined space hazards and changing conditions in the confined space that could affect employees in the space. In the event of an emergency, the attendant shall not enter the confined space but shall be able to summon emergency and rescue services.

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- All employees required to enter a confined or enclosed space shall be equipped with a full body harness and lifeline monitored by a properly trained attendant. Other personal protective equipment and rescue devices may also be required depending on the situation.
- Compressed gas cylinders, other than breathing air, shall not be taken into a confined space.
- Safe access to the confined space shall be maintained at all times. If possible, all cords, hoses, leads, etc. shall be routed through an entrance other than the employee access into the confined space.
- Even though public entities in the state of Texas do not fall under OSHA requirements, sections of the OSHA Standards should be reviewed for minimum industrial standards.
- For additional information concerning confined space requirements, refer to OSHA standard 29 *CFR 1910.146* and the *Confined Space Entry Safety Program* found in this manual.

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Section: SAFETY MANUAL	Reference Number: 202.16
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: EXCAVATION AND TRENCHING SAFETY	Last Revision Date:

- Before opening an excavation, all interferences such as trees, sidewalks, and foundations shall be removed or supported as necessary to protect employees and the public.
- The estimated location of utility and other underground installations that may be encountered during excavation work shall be determined before opening the excavation.
- When excavation operations approach the estimated location of underground installations, the exact location of the installation shall be determined by safe and acceptable means.
- While the excavation is open, underground installations shall be protected, supported, or removed to safeguard employees.
- Employees exposed to vehicular traffic shall wear high visibility vests or clothing.
- Refer to Work Zone/Traffic Control Safety procedures as described in this manual.
- A stairway, ladder, ramp, or other safe means of egress shall be located in trench excavations that are four feet or more in depth so as to require no more than 25 feet of lateral travel for employees. Ladders must extend three feet above the surface and be tied off if necessary.
- No employee shall be permitted underneath loads handled by lifting or digging equipment. Employees shall be required to stand away from any vehicle being loaded or unloaded to avoid being struck by any spillage or falling materials.
- All mobile equipment (front end loaders, bulldozers, and dump trucks) shall be equipped with a warning device such as a backup alarm. When mobile equipment is operated adjacent to an excavation, a warning system shall be utilized such as barricades, hand or mechanical signals, or stop logs. If possible, the grade should be sloped away from the excavation.
- Daily inspections of the excavations and adjacent areas and protective systems shall be made by a competent person for evidence of situations that could result in a possible cave-in, failure of protective systems, hazardous atmospheres or other hazardous conditions. An inspection shall be conducted prior to the start of work, when there are changes in weather conditions, if the excavation has been left unattended for a period of time (such as lunch), and as needed.
- Employees shall not work in excavations in which there is accumulated water or in an excavation in which water is accumulating unless adequate precautions have been taken to protect employees. The precautions necessary to protect employees adequately can include special support or shield systems, water removal, or the use of a body harness and lifeline.
- Surface water shall be prevented from entering an excavation by utilizing diversion ditches, dikes, or other suitable means.
- Excavations subject to run-off from heavy rains shall require an inspection by a competent person.
- Excavated earth (spoil), materials, tools, and equipment shall be placed no closer than two feet from the edge of the excavation.

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- Where employees or equipment are required or permitted to cross over excavations, walkways or bridges with standard handrails and guardrails shall be provided.
- When excavations are left open, warning devices, barricades, or guardrails shall be placed to adequately protect employees and the public.
- At the end of the workday, as much of the excavation as practical shall be closed.
- Mechanical excavating equipment that is parked or operating on streets or highways shall be protected by proper warning devices.
- Each employee in an excavation shall be protected from cave-ins by an adequate protective system (sloping, benching, shoring, or shielding), unless excavations are made entirely in stable rock or are less than five feet deep and examination of the ground by a competent person provides no indication of a potential cave-in.
- When choosing protective system, a competent person shall take into consideration soil type, vibration sources, previously disturbed soil, layered soil, presence of water, heavy equipment work adjacent to the excavation, limited work area, and other hazard increasing conditions.
- Sloping, benching, shoring or shielding for excavations greater than 20 feet deep shall be designed by a registered professional engineer.
- A “competent person” as used in this section shall mean one who is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous or dangerous to employees, and who has the authorization to take prompt corrective measures to eliminate them.
- For additional information on excavation requirements, refer to OSHA standard *29 CFR 1926 Subpart P, Excavations* and/or *Excavation and Trenching Safety Program* found in this manual.

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Section: SAFETY MANUAL	Reference Number: 202.17
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: WORK ZONE/TRAFFIC CONTROL	Last Revision Date:

- Work zone safety is the adequate safeguarding or protecting of pedestrians, motorists, utility workers and equipment by the use of adequate barriers, warning signs, lights, flags, traffic cones, high level standards, barricade rope, flaggers, etc. on approaches to work areas, excavations, open manholes, parked equipment, etc.
- Work zone traffic control is accomplished by the use of informative and protective devices, keeping in mind that a safe installation requires the use of these devices in relation to the location of the workers and equipment involved and must meet *MUTCD standards*. The use of these devices must be coupled with proper planning, design, installation, inspection, maintenance and the use of good common sense. It is of utmost importance that the work area be properly identified and that warning devices clearly convey the message to the traveling public well in advance of arrival at the work area.
- The public must be warned in advance, then regulated and guided through or around the work area. Proper work area protection shall be planned to ensure the safety and protection of the public, the worker, and the equipment.
- If street construction or repair work is to be done, preparations will be made to ensure vehicle and pedestrian safety before work is allowed to begin by use of a traffic control plan.
- If traffic is affected by the operation, proper signs must be used in advance of the work area, and the traffic control signs in and around the affected area are to be correctly placed and maintained for the duration of the period when work is being performed and traffic obstructions exist.
- When barricades and signs are used overnight, supervisors will examine the work area for proper placement at the end of the workday.
- All employees working in or near the roadway will wear retro-reflective vests or suitable garments marked with or made of retro-reflective or high visibility material while at the work site. Garments worn at night must be made of retro-reflective material.
- Where traffic must be periodically stopped or obstructed by workers or equipment in a traveled portion of a roadway, a flagger wearing a reflective vest may be stationed. If lack of manpower exists, the roadway must be closed and the traffic detoured.
- Flaggers will be used to slow or direct traffic where the approach to the work area does not provide adequate visibility to drivers. The use of sign paddles (Stop/Slow) is preferred and should be used if available. During night operations, the flagger area should be illuminated and retro-reflective signs used.
- In any case where streets are significantly obstructed or closed for any period of time, the police, fire and other relevant departments will be notified of the situation and told approximately how long the closure will be in effect.

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- When pedestrian traffic is impeded, barricades, restrictive tape, rope or other restraint will be used to keep the public from the work site.
- Holes in the sidewalk or parkway that must be left open will have perimeter protection. Protection of these areas will be in the form of physical barriers and warning signs.
- For additional information, please refer to the most current publication of the *Texas Manual for Uniform Traffic Control Devices, Part VI*. A copy of this manual is available at www.dot.state.tx.us.

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Section: SAFETY MANUAL	Reference Number: 202.18
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: LAW ENFORCEMENT SAFETY	Last Revision Date:

Please see the City of Keene Police Department Policy and Directives on Safety.

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Section: SAFETY MANUAL	Reference Number: 202.19
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: FIRE PERSONNEL SAFETY	Last Revision Date:

Please see the City of Keene Fire Department Policy and Directives on Safety.

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Section: SAFETY MANUAL	Reference Number: 202.20
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: BACK INJURY PREVENTION & MATERIAL HANDLING	Last Revision Date:

Back injuries are prevalent and continue to be one of the leading causes of on-the-job injuries in the workplace. The following procedures are designed to prevent injury and disability to employees; decrease lost productivity due to accidents and injuries; and, decrease costs associated with these types of injuries.

Common Causes of Back Injuries

- Prolonged positions
- Poor posture
- Poor ergonomics
- Improper lifting/lifting too much
- Twisting while lifting
- Reaching while lifting
- Slips/trips and falls
- Vehicle and equipment entry and exit

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Safe Lifting Principles

The following steps should be taken prior to lifting, handling, or carrying materials:

- Prior to beginning to lift or carry, check to ensure that the walkway is clear of all obstacles.
- Carefully check the object's weight and center of gravity.
- Face the object and get as close as you can with feet slightly apart and the head and neck facing forward. Grip the object firmly and hold it as close to your body as possible.
- Bend at your knees, not at your waist.
- Use your legs to bring you to a standing position, making the lift smoothly and under control.
- Do not twist your body when lifting or lowering.
- If necessary, obtain assistance in lifting heavy objects by utilizing additional personnel, power equipment, or other types of assistive lifting devices.
 - When two or more persons carry a heavy object that is to be lowered or dropped, there shall be a pre-arranged signal for releasing the load.
 - When two or more persons are carrying an object, each employee, if possible, should face the direction in which the object is being carried. Crouch or squat with the feet close to the object to be lifted; secure good footing; take a firm grip; bend the knees; keep the back vertical; and lift by bending at the knees and using the leg and thigh muscles. Employees shall not attempt to lift beyond their capacity. Caution shall be taken when lifting or pulling in an awkward position.
- Material shall not be thrown from place-to-place or person-to-person.

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Section: SAFETY MANUAL	Reference Number: 202.21
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: FIRE PREVENTION & LIFE SAFETY	Last Revision Date:

These procedures address specific exposures and prevention methods related to fire prevention and the life safety of employees.

Management Responsibilities

- Ensure all fire prevention methods are established and enforced.
- Ensure fire suppression systems such as sprinklers and extinguishers are periodically inspected and maintained in working order.
- Train supervisors to use fire extinguishers for incipient (developing) fires.
- Train employees on evacuation routes and procedures.

Supervisor Responsibilities

- Closely monitor the use of flammable materials and liquids.
- Train assigned employees in the safe use, storage, and handling flammable materials.
- Ensure flammable material storage areas are properly maintained.

Employee Responsibilities

- Use, store, and transfer flammable materials in accordance with provided training and policy.
- Do not mix flammable materials.
- Immediately report violations of this program to a supervisor.

Potential Hazards

- Fire and explosion hazards can exist in almost any work area. Potential hazards include, but are not limited to:
- Improper operation or maintenance of gas-fired equipment
- Improper storage of use of flammable liquids
- Smoking in prohibited areas
- Accumulation of trash and debris
- Unauthorized 'hot work' operations

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Hazard Prevention and Control

All nonessential ignition sources must be eliminated where flammable liquids are used or stored. The following is a list of some of the more common ignition sources:

- Open flames, such as cutting and welding torches, furnaces, matches, and heaters, should be kept away from flammable liquids. Cutting or welding on flammable liquids equipment should not be performed unless the equipment has been properly emptied and purged with a neutral gas, such as nitrogen.
- Electrical sources of ignition, such as DC motors, switches, and circuit breakers should be eliminated where flammable liquids are used, handled, or stored. Only approved, explosion- proof devices should be used in these areas.
- Mechanical sparks produced as a result of friction should not be used near flammable liquids.
- Static sparks generated as a result of static electricity. Every effort should be made to eliminate the possibility of static sparks including proper bonding and grounding of tools and equipment.

Removal of Incompatibles

Materials that can contribute to a flammable liquid fire should not be stored with flammable liquids. Examples include oxidizers and fertilizers stored near petroleum-based products.

Control of Flammable Gases

Generally, flammable gases pose similar fire hazards as flammable liquids and their vapors and many of the same safeguards also apply. Other properties, such as toxicity, reactivity, and corrosivity must also be taken into consideration as a flammable gas could produce toxic combustion products.

Fire Extinguishers

A portable fire extinguisher is the “first aid” device and is very effective when used while a fire is small. The use of an extinguisher that corresponds to the class of fire, by a trained person, can save both lives and property. Portable fire extinguishers must be installed in all workplaces, regardless of other firefighting measures. The successful performance of an extinguisher in a fire situation largely depends on the proper selection, inspection, maintenance, and distribution.

- **Classifications of Fire Extinguishers**
Fires are classified into five general categories, depending upon the type of material or fuel involved. The type of fire determines the type of extinguisher to be used to extinguish it.
 - **Class A** fires involve combustible materials such as wood, paper, and cloth, which produces glowing embers or char.
 - **Class B** fires involve flammable gases, liquids, and greases, including gasoline and most hydrocarbon liquids, which must be vaporized for combustion to occur.
 - **Class C** fires involve live electrical equipment or materials near electrically energized equipment.

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- **Class D** fires involve combustible metals such as magnesium, zirconium, potassium, and sodium.
- **Class K** fires involve cooking fats and oils found in deep fat fryers or other cooking appliances such as solid fuel char-broilers.

In many cases, areas will be equipped with an 'ABC'-type extinguisher, which can be used for wide variety of common fires.

- **Location and Identification of Extinguishers**

Extinguishers should be conspicuously located and readily accessible for immediate use in the event of a fire. Generally, extinguishers will be placed along normal paths of travel and egress. Wall recesses and/or flush-mounted cabinets should be used whenever possible.

Extinguishers should be clearly visible. In locations where visual obstruction cannot be completely avoided, directional arrows will be provided to indicate the location of extinguishers and the arrow will be marked with the extinguisher classification.

If extinguishers intended for different classes of fires are located together, they will be marked to ensure the proper class of extinguisher is selected. Classification markings will be located on the front of the shell above or below the extinguisher nameplate and should be legible from a distance of three feet.

- **Condition of Extinguishers**

Portable extinguishers will be maintained in a fully charged and operable condition and kept in their designated locations at all times when not being used. When extinguishers are removed for maintenance, inspection, or testing, a fully charged and operable replacement should be provided.

- **Mounting and Distribution of Extinguishers**

Extinguishers should be installed on hangers, brackets, in cabinets, or on shelves, no more than 42-inches above the floor.

Extinguishers should be distributed such that the amount of time required to travel to the extinguisher and back to the fire does not allow the fire to get out of control. Generally, the travel distance for Class A and Class D extinguishers should not exceed 75 feet; Class B extinguishers should not exceed 50 feet, due to the quick spread of flammable liquid fires; Class C extinguishers should simply be placed where they are likely needed, based upon the given hazards; and, Class K extinguishers are generally located within a proximate distance to the cooking areas in which they are designed to protect.

- **Inspection and Maintenance of Extinguishers**

All extinguishers should be visually inspected on a monthly basis and tested and certified by a qualified service provider on an annual basis.

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- **Use of Fire Extinguishers**

In most cases, recalling the *PASS* acronym will help remember the four steps of safe extinguisher use.

- *P*ull the pin (from the handle)
- *A*im the nozzle (at the base of the fire)
- *S*queeze the handle (to actuate the extinguisher)
- *S*weep the nozzle (from side-to-side)

Fire Safety Inspections

Supervisors and the Fire Marshall are responsible for conducting workplace fire inspections as a part of the normal workplace safety inspection. These surveys should include observations of housekeeping issues and should specifically address proper storage of chemicals and supplies, unobstructed access to fire extinguishers and emergency exit or evacuation routes.

Emergency Exits

Every exit designated as an emergency exit should be clearly visible or the route to it conspicuously identified in such a manner that every occupant of the building will readily know the direction of escape from any point. At no time should exits or paths of egress be blocked.

Any doorway or passageway, which is not an exit or access to an exit, but which may be mistaken for an exit, should be identified by a sign reading “Not an Exit” or otherwise labeled as to the purpose (i.e., “Closet”). Exits and accesses to exits will be marked by a readily visible sign. Each exit sign (other than internally illuminated signs) should be illuminated by a reliable light source or phosphorescence.

Emergency Lighting

Emergency lighting in buildings, if equipped, should be tested at least monthly to ensure proper operational conditions in the event of an emergency. These tests should be completed in conjunction with the fire extinguisher visual inspections.

Evacuation Routes and Plans

Each facility shall design and post an emergency evacuation plan to allow employees and other to safely evacuate the building or affected area in the case of an emergency.

Should evacuation be necessary, proceed to the nearest exit or stairway and proceed to an area of refuge outside the building. Most stairways are fire resistant and are often equipped with barriers to smoke if doors remain closed.

Do not use elevators. Should a fire involve the control panel of the elevator or the electrical system of the building, power in the building may be lost and you could become trapped in the elevator, potentially between floors. Also, the elevator shaft can become a flue, lending itself to the passage and accumulation of hot gases and smoke generated by the fire.

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Fire Emergency Procedures

The following procedures should be followed in the event of a fire within a building:

- Activate the nearest fire alarm, if equipped
- Notify your supervisor, co-workers, and other occupants
- Fight the fire only if:
 - The Fire Department has been notified of the fire, and
 - The fire is small and confined enough to its area of origin, and
 - You have a way out and can fight the fire with your back to the exit, and
 - You have the proper extinguisher, in good working condition, and know how to use it.
- If you are unsure of your ability or the fire extinguisher's capacity to contain the fire, leave the area.
- Leave the building and move away from exits, maintaining clear path for emergency operations.
- Assemble in a designated area.
- Report your safety to the appropriate supervisor or personnel.

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Section: SAFETY MANUAL	Reference Number: 202.22
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: TOOL SAFETY	Last Revision Date:

- All tools shall be of an approved type and maintained in good condition.
- All tools shall be examined prior to use to ensure adequate working condition.
- Defective tools shall be tagged to prevent their use and removed from the jobsite.
- Employees shall be trained on the correct use, hazards, and limitations of tools used in the workplace.
- Gloves should be worn when they provide protection to the employee without increasing the chances of the employee becoming entangled at the point of operation.
- Tools shall not be left unsecured in elevated places. Tethering is recommended in areas where tools may fall to a lower level.
- Impact tools, such as chisels, hammers and punches that become mushroomed or cracked shall be replaced.
- Chisels and punches shall be held with a safe holding device, such as vice grips or pliers to avoid injury to employee's hand.
- Wrenches with sprung or damaged jaws shall not be used.
- Wooden handles that are loose, cracked or splintered shall be replaced, not taped or lashed.
- Power tools shall be disconnected from any power source while repairs or adjustments are being made.

Tool Carrying and Storage

- Never carry sharp tools in your pockets unless the edges are protected.
- Do not carry tools in your hands while climbing a ladder. Hoist them with a rope or use an approved utility belt.
- Protect your tools from falling when working from a scaffold, ladder or other elevated work areas.
- Do not leave your tools lying around where they may cause a trip/fall hazard. Tools no longer needed for the job shall be returned to their proper location.

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Section: SAFETY MANUAL	Reference Number: 202.23
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: LADDER SAFETY	Last Revision Date:

- Wooden ladders shall not be painted so as to obscure a defect in the wood; only a clear nonconductive finish shall be used.
- All ladders shall be inspected regularly. Ladders with weakened, broken or missing steps, broken side rails, or other defects shall be tagged and removed from service.
- Ladders and scaffolds shall be sufficiently strong for their intended use. All ladders shall be capable of supporting at least 2.5 times the maximum intended load without failure.
- Ladders shall not be placed in front of doors opening toward the ladder unless the door is open, locked, or guarded.
- When ascending or descending ladders, employees shall have both hands free and shall face the ladder.
- Only City of Keene supplied ladders shall be used by employees.
- Ladders shall not be used as scaffold platforms unless specifically designed for that purpose.
- Boxes, chairs, etc. shall not be used as ladders.
- Portable metal ladders and other portable conductive ladders may not be used near exposed energized lines or equipment except in very specialized situations.
- The use of stepladders above 20 feet is prohibited and the use of extension ladders above 24 feet is strongly discouraged.
- All ladders used in fire service activities shall be NFPA approved.

Straight Ladders

- Portable straight ladders shall be equipped with nonskid bases or shoes.
- The ladder shall be placed so that the distance between the bottom of the ladder and the supporting point is approximately one-fourth of the ladder length between the foot of the ladder and the upper support.
- Straight ladders shall not be climbed beyond the third step from the top.
- When working from a portable ladder, the ladder must be securely placed, held, tied, or otherwise made secure to prevent slipping or falling.
- When dismounting from a ladder at an elevated position (such as a roof) the employee shall ensure that the ladder side rails extend at least 3 feet above the dismount position, or that grab bars are present.
- Employees shall belt off to a ladder whenever both hands must be used for the job or a possibility of the employee falling from an elevated position exists.
- Ladders shall not be spliced together to form a longer ladder, unless specifically designed to be used as a section ladder.
- A ladder shall not be placed against an unsafe support.

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Step Ladders

- The top step shall not be used, except for platform ladders.
- Stepladder legs shall be fully spread, and the spreading bars locked in place.
- Stepladders shall not be used as straight ladders.
- When an employee is working on stepladder more than 10 feet high (except a platform ladder), another person shall hold the ladder or it should be tied to a support to prevent it from falling.

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Section: SAFETY MANUAL	Reference Number: 202.24
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: MATERIAL STORAGE SAFETY	Last Revision Date:

Material shall be stored in such a manner that it will be safe from damage. Special care must be taken to assure that stored material poses no hazard to anyone working around it.

- Only lightweight material should be stored on top shelves.
- Bins or shelves shall never be used as ladders.
- Materials shall not be stored on the floor, in front of shelving.

Housekeeping

- Work locations including vehicles, buildings, shops, yards, offices, cabs, etc. shall be kept clean and orderly at all times.
- Combustible materials, such as oil-soaked rags, waste and shavings shall be kept in approved metal containers with metal lids. Containers shall be emptied as soon as practical.
- Both clean rags and used rags shall be kept in metal or metal lined bins having metal covers.
- Permanent floors and platforms shall be kept free of dangerous projections or obstructions and shall be maintained reasonably free from oil, grease, or water. Where the type of operation produces slippery conditions, mats, grates, cleats or other methods shall be used to reduce the hazard from slipping.
- Stairways, aisles, permanent roadways, walkways and material storage areas in yards shall be kept reasonably clear and free from obstructions, depressions and debris.
- Materials and supplies shall be stored in an orderly manner so as to prevent their falling or spreading and to eliminate tripping and stumbling hazards.
- Paper and other combustible materials shall not be allowed to accumulate, and weeds or other range vegetation shall not be permitted to grow in or around storage areas, shops, substations, pole yards, buildings, fuel tanks or other structures.
- Batteries shall be stored in a well-ventilated area protected from sparks or open flames.
- All personnel will practice good housekeeping. Scrap material will be disposed of properly, and the work area should be free of any loose material.

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Stacking Material

- When material is stacked, all possible precautions must be taken to assure that it will remain stable. The lower level must be blocked or tied to prevent slipping. The height of a stack of material should remain within reasonable limits.
- When unloading and/or stacking poles or pipe, great care should be exercised to maintain a safe work environment. Do not stand on poles or pipe. Watch for pinch points and stay out of the path of equipment during unloading. Avoid any contact with creosote, while unloading poles.

Flammable Material

- Under no circumstances shall flammable materials be stored in an area where heat or potential ignition sources may affect the stability of the material.
- All flammable materials shall be stored in a location that will not endanger life or property. Containers will be clearly and appropriately marked, in accordance with fire safety standards. In addition, storage facilities shall have a sign identifying the materials as “flammable”.
- Storage of open containers of flammable materials is prohibited. Container covers must be promptly replaced. Smoking will not be permitted inside any warehouse facility or outside near flammable or combustible materials in the equipment yard.
- Flammable liquids shall be used only for their designed purposes. Gasoline shall not be used for cleaning purposes or for starting or kindling fires.
- All solvents should be kept in approved, properly labeled containers. Gasoline and other solvents of this class shall be handled and dispensed only in approved, properly labeled (yellow letters) red safety cans.
- When pouring or pumping gasoline or other flammable liquids from one container to another, metallic contact shall be maintained between the pouring and receiving containers. Transferring of flammable liquids from one container to another shall be accomplished only in properly ventilated spaces free from ignition sources.
- Strict adherence shall be paid to “No Smoking” and “Stop your Motor” signs at fuel dispensing locations.

Smoking

- Open flames shall be permitted in areas where flammables or combustibles are present. Smoking will only be allowed in designated smoking areas and never in the vicinity of flammable materials. The absence of “No Smoking” signs shall not be considered authorization for smoking in hazardous locations.

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Section: SAFETY MANUAL	Reference Number: 202.25
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: SHOP SAFETY	Last Revision Date:

Many safety-related hazards and exposures exist in workshops and maintenance garages. The following procedures were developed to serve as a reminder of some of the potential exposures that can be found in these areas. This is not an all-inclusive list and does not address all of the known or expected hazards. In many cases, references to alternative safety procedures contained within this manual are noted.

Air Compressors

- Drain valves on air compressors should be opened frequently to prevent the accumulation of liquid.
- Safety-relief valves will be installed on all compression tanks. These valves will be tested periodically to ensure their proper operation.
- Never use compressed air to clean your hands or to blow dirt from clothing or your body.
- When using compressed air for cleaning purposes, it must be kept at a level below 30 pounds per square inch (PSI).

Compressed Gas Cylinders

- If compressed gas cylinders are stored inside a building, the area will be kept dry and well ventilated. Oxygen and fuel gas cylinders must be stored separately.
- Cylinder carts, other than those designed to hold cylinders in an upright position, are prohibited. Upright cylinder carts must be equipped with a chain, bar or some other device that will act to stabilize the cylinder. If gauges are not attached to the cylinder, valve caps must be in place.
- Signage similar to the following must be posted in any cylinder storage area. “Danger – No Smoking, Matches, or Open Flames”.
- See *Compressed Gas Cylinder Safety* section for additional safety requirements.

Grinders

- A face shield and safety glasses shall be worn while grinding. Any grinding equipment without proper safety features in not allowed in the work place. Abrasive wheels shall only be used on machines that have guards that cover the spindle end, nut and flange projections.
- Grinder work rests must be designated to be adjustable to compensate for wheel wear. Work rest should be adjusted with a maximum clearance of 1/8-inch to help prevent work from jamming. Tongue guards must also be adjusted to within 1/8-inch.
- When replacing abrasive wheels, follow the manufacturer’s directions for proper installation and inspection. All grinding wheels must be inspected prior to installation to ensure that the RPM rating of the wheel is correct for the grinder’s RPM.

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Electrical Safety

- Identify and label all electrical control devices, such as circuit breaker, fuses, disconnects, etc.
- All electrical outlets, including wall receptacles, extension cords, etc. must have an independent, third-wire ground system.
- All electrical tools and equipment shall be effectively grounded unless the tool is an approved double-insulated type.
- All electrical junction boxes shall have protective covers. All such boxes must have sufficient access space.
- See *Electrical Safety* section for additional requirements.

Material Storage

- Stored materials should stack in such a manner as not to create a hazard. Stack containers, boxes, parts, etc. in an orderly fashion to ensure stable stacking heights.
- Heavy bulky materials should be stored on lower shelves to minimize chances of injury due to falling objects.
- See *Material Storage Safety* section for additional requirements.

General Shop Safety

- Elevated storage platforms over four feet in height from floor level shall have standard handrails (includes a mid-rail and a top handrail) and toe boards. The handrails will be constructed of metal or wood sufficient to withstand 200 pounds of top rail pressure.
- Proper signage, such as “No Smoking” signs, will be installed in all areas where flammable or easily combustible materials are stored.
- Hooks used on hoisting equipment shall be equipped with a safety latch to help prevent dropping of any lifted load.
- The hoisting capacity of any hoisting equipment shall be printed clearly on the frame in lettering that is large enough to be read from ground level. All cranes shall be inspected on at least a monthly basis to assure their proper operation and condition.
- Any doors not designated as exits, but may be mistaken for exits should be clearly marked “Not an Exit”.
- All exits shall be identified by a clearly visible, illuminated, “Exit” sign.
- Only approved containers are to be used for the storage of flammable and combustible materials. Approved containers can be identified by the presence of a label from a certifying organization, such as Underwriters Laboratories (UL).
- Safety cans shall be painted red and clearly marked to identify the contents. Only approved pumps or self-closing faucets are to be used for dispensing flammable or combustible liquids.
- No guard shall be removed from any machine or piece of equipment except to perform required maintenance. Guards removed to perform maintenance operations shall be replaced immediately after the completion of the work.

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Section: SAFETY MANUAL	Reference Number: 202.26
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: STORAGE & EQUIPMENT YARD SAFETY	Last Revision Date:

- All vehicles shall have the emergency brake set when parked on a slope or down grade. Consideration should also be given to the use of chocks in these situations.
- All vehicles and equipment shall be parked in a position that does not require backing whenever possible. When backing a truck or machinery in the yard, use a spotter to assist you into position.
- Proper personal protective equipment should be evaluated before performing any work in the yard. It is not possible to identify all personal protective equipment that may be required due to the various types of assignments in that area.
- Always roll pipe from the ends or from behind to avoid placing your body in the pipe's path.
- All pipe racks will be fitted with pipe stops to prevent pipe roll-off. Stripping should also be used at the ends of the pipe to act as spacers.
- All aboveground fuel storage tanks should be protected on all four sides with heavy-duty guard posts and crash rails. Emergency cut-off switches shall also be installed near the pumping equipment and a fire extinguisher should be readily accessible.
- A diking system capable of holding the volume of the above ground storage tank should be constructed to help control potential spills.

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Section: SAFETY MANUAL	Reference Number: 202.27
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: COMPRESSED GAS CYLINDER SAFETY	Last Revision Date:

- Never attempt to lift compressed gas cylinders with an electromagnet. Where cylinders must be handled by a crane or derrick, as on work sites, the cylinders shall be lifted in a cradle or suitable platform, not by the valve protector cap. Do not lift with slings or chokers. Extreme care must be exercised to prevent dropping or bumping of the cylinders.
- Cylinders, whether full or empty, shall be stored in a rack, chained or otherwise secured to prevent them from falling.
- Do not use cylinders as rollers, supports or for any other use other than its designed purpose.
- Cylinders shall have their contents properly identified. Empty cylinders shall be plainly marked "Empty" or "MT", and the valves shall be closed.
- Oxygen cylinders in storage shall not be stored near flammable or highly combustible materials, such as oil, grease, fuel, other fuel gas cylinders, etc. In addition, no cylinders shall be stored in areas where there is an exposure to direct sunlight.
- Welding or cutting of any pipeline, tank, empty container or piece of equipment shall not be performed until it is assured that the object is free from flammable materials or an explosive mixture of gases. Before welding or cutting begins, the hazardous materials shall be removed, or it shall be vented to the atmosphere to prevent a possible explosion from the expansion of trapped gases.
- Cylinders shall not be placed where they might become part of an electric current or within five feet of an electrical outlet. Cylinders shall not be allowed to come in contact with energized conductors, ground wires from electrical equipment or welding machines.
- Valves of compressed gas cylinders shall be opened slowly and with the proper wrench.
- Before the regulator is removed from a cylinder, the valve shall be closed, and all pressure released from the regulator. Use regulators and pressure gauges only with gases for which they are designed and intended. Do not attempt to repair or alter cylinders, valves or attachments. Any changes in the cylinders shall only be performed by the supplier or manufacturer.
- Leaking cylinders shall not be used. Such cylinders shall be taken away from sources of ignition and the supervisor notified. Leaking compressed gas cylinders shall be taken out of service immediately and handled as follows:
 - Close the valves and take the cylinder outdoors well away from any source of ignition.
 - Properly tag or mark the cylinder.
 - If the leak occurs at a fuse plug or other safety device, take the cylinder outdoors well away from any potential ignition source and open the cylinder valve slightly to allow the contents to escape slowly.
 - Tag the cylinder to warn others. (The environmental and health effects of the contents must be evaluated prior to allowing the cylinder to bleed-down.)

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- Post warnings against approaching with lit cigarettes or other potential ignition sources.
- Promptly notify the supplier and follow instructions for handling/returning the cylinder.
- Do not remove or change the marks and/or numbers stamped on compressed gas cylinders. In addition, any labels shall be left in place for identification purposes.
- Cylinders that are heavy or difficult to carry by hand may be rolled on their bottom edge, but they should never be dragged.
- Do not tamper with safety devices in valves or on cylinders.
- Consult the supplier of the gas or the appropriate Material Safety Data Sheet (MSDS) when there are doubts concerning the proper handling of a compressed gas cylinder or its contents.

Transporting Cylinders

- Load to allow as little movement as possible.
- Remove regulators and put valve protection caps in place.
- Secure cylinders to prevent violent contact or falling.

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Section: SAFETY MANUAL	Reference Number: 202.28
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: MACHINE GUARDING SAFETY	Last Revision Date:

Guarding Requirements

- Guards shall be affixed and secured to any machine, where possible.
- A guard shall not offer an accident hazard in itself.
- The point-of-operation of machines where the operation presents a hazard to employees shall be guarded.
- Revolving drums, barrels, and containers shall be guarded by an enclosure that is interlocked with the drive mechanism.
- When periphery fan blades, such as those found on ventilation fans, are located less than seven feet above the floor or working level, the blades shall be guarded with a protective covering with openings no larger than one-half inch.
- Machines designed for a fixed location, such as a drill press or bench grinder, shall be securely anchored to prevent walking or moving of the machine during operation.

Machine Guard Requirements

- Guards must prevent hands, arms, fingers, feet, or any other part of the employee's body from making contact with moving parts. A good safeguarding system eliminates the possibility of the operator or other employees from placing parts of their bodies near hazardous moving or energized parts.
- Employees should not be able to easily remove or tamper with guards. Guards and other safety devices should be made of durable material that will withstand the conditions of normal use and must be firmly secured to the machine.
- Guards should ensure that no objects can fall into moving parts.
- Guard edges should be rolled or bolted in such a way to eliminate sharp or jagged edges.
- Guards should not create interference which would hamper employees from performing their assigned tasks.
- Lubrication points and feeds should be placed outside the guarded area to eliminate the need for guard removal.

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Section: SAFETY MANUAL	Reference Number: 202.29
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: WELDING & CUTTING SAFETY	Last Revision Date:

- Welding and cutting shall only be performed by experienced and properly trained personnel.
- The work area shall be inspected for potential fire hazards before any cutting or welding is performed.
- When welding or cutting in elevated positions, precautions shall be taken to prevent sparks and hot metal from falling onto people or material below.
- Suitable fire extinguishing equipment shall be immediately available at all locations where welding and cutting equipment is used.
- Proper strikers shall be used in lighting torches. Matches and cigarette lighters shall not be used.
- A fire watch shall be maintained whenever welding or cutting is performed in locations where combustible materials present a potential fire hazard. A fire check should be made of the entire area after completion of welding or cutting activities.
- Machinery, tanks, equipment, shafts or pipes that could contain explosive or flammable materials shall be thoroughly cleared and decontaminated prior to the application of heat.
- In dusty or gaseous spaces where there is a possibility of an explosion, welding or cutting equipment shall not be used until the space is adequately ventilated.
- Adequate ventilation or approved respiratory equipment shall be used while welding in confined spaces or while cutting, brazing or welding zinc, brass, bronze, stainless steel, galvanized or lead coated materials.
- Welders shall wear clothing made of fire resistant fabrics, gloves, appropriate footwear, sleeves and a buttoned collar. All protective clothes and equipment should be worn in a manner that provides the most efficient protection from slag or other hot material.
- When using an arc welder, use No. 10 or No. 12 shade lenses. When using acetylene torches for welding or cutting, use No. 5 or No. 6 shade lenses.
- Regular shaded safety glasses do not provide adequate protection for welding or cutting operations.
- Proper eye protection in the form of safety glasses and a face shield should be worn during any portable grinding activities. Safety glasses should also be worn during any slag chipping activities.

Gas Welding

- Suitable eye protection, protective gloves and clothing shall be worn during welding or cutting operations or while cleaning scale from welds. Helpers or attendants shall wear proper eye protection. Other employees shall not observe welding operations unless they use approved eye protection.
- Matches shall not be used to light a torch. A torch shall not be lit on hot work.

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- When gas-welding equipment is not in use, the cylinder valves shall be closed and the pressure in the hose released.
- Gas hoses shall not be positioned so they create tripping/slipping hazards.
- Always inspect oxygen or fuel gas hoses for leaks, burn spots, worn places, or other defects before pressurizing.

Electric Welding

- No electric welding machine, either AC or DC, shall be operated until the frame or case of the machine is electrically grounded for protection from potential shock hazards.
- All ground and electrode lead cables will be inspected before use for bad or damaged connectors. Only connectors designed for joining or connecting will be used for that purpose.
- Welders shall wear an approved welding helmet, proper protective gloves and fire-resistant clothing during welding activities. Proper eye protection in the form of safety glasses and/or a face shield should be worn by the welder and any helpers in the area when chipping slag, grinding, etc. Other employees shall not observe electric welding operations unless they use approved eye protection.
- Welders shall wear proper eye protection to guard against flying particles when the helmet is raised.
- Welding screens shall be used whenever practical to help control potential ultraviolet light exposures to other personnel in the area.
- Welding machines will be placed at least 4 feet apart.
- Fire extinguishers should be placed in the immediate area and a fire watch used as necessary to control any fire potential.

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Section: SAFETY MANUAL	Reference Number: 202.30
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: WEATHER-RELATED ILLNESS PREVENTION	Last Revision Date:

Cold-Related Illnesses

- Hypothermia is when the body's temperature drops below normal, causing uncontrollable shivering, weakness, drowsiness, disorientation, unconsciousness, and even death. Persons working outdoors during the winter months should follow the guidelines listed below:
 - Dress in layers
 - Keep dry
 - Work with co-workers when possible

Heat-Related Illnesses

- Heat stroke, heat exhaustion, heat cramps and heat rash are health-related problems associated with working in hot environments. Heat-related illnesses can be caused by prolonged exposure to hot temperatures, limited fluid intake, or failure of temperature regulation mechanisms in the brain.
- The most serious health disorder associated with working in a hot environment is heat stroke. Symptoms of heat stroke include hot dry skin, no sweating, high body temperature, rapid heartbeat, mental confusion, or a loss of consciousness. While medical help is being called, the victim should be moved to a cool area and his/her clothing soaked with cool water. Vigorous fanning of the body will increase cooling. Death can occur if prompt first aid and medical help is not given.
- Heat exhaustion occurs as a result of excess fluid loss and failure to replace the minerals and fluid lost during sweating. Signs of heat exhaustion include extreme weakness or fatigue, giddiness, nausea, or headaches. The skin is clammy and moist and the body temperature is relatively normal. The best treatment for heat exhaustion involves resting in a cool place and drinking plenty of fluids.
- Heat cramps are painful muscle spasms, which are caused by excessive fluid and salt loss. Such cramps can be treated by consuming fluid replacement beverages.
- Heat rash is likely to occur in hot and humid environments where sweat cannot be easily evaporated from the skin surface. It can be prevented by resting in a cool place and allowing the skin to dry.
- By following a few basic precautions, health problems associated with working in hot environments can be prevented:
 - Those unaccustomed to working in the heat should be given time to adjust to work in a hot environment.
 - Wear light, loose fitting clothing and protect yourself by wearing a hat. Sunscreen should also be used when prolonged exposures to sunlight may be possible.

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- Drink plenty of fluids to help prevent dehydration. Five to seven (5-7) ounces of fluid are recommended every fifteen to twenty (15-20) minutes when working in extremely hot or humid conditions. Beverages containing alcohol or caffeine should be avoided to prevent dehydration.
- Alternate work and rest periods. Heavy work should be scheduled for the cooler parts of the day if possible.
- Educate employees on the symptoms, treatments and preventive measures for heat- related problems.

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Section: SAFETY MANUAL	Reference Number: 202.31
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: PESTICIDE & HERBICIDE SAFETY	Last Revision Date:

- When applicable, all employees who apply pesticides or herbicides shall be licensed.
- Before using any pesticide or herbicide, employees shall read the label carefully and follow the directions and precautions.
- Pesticides shall be stored in a properly labeled, tightly sealed container and under lock and key at all times. The building, or structure shall be clearly marked with pesticide warnings.
- Before handling any pesticides/herbicide, the user should review the material safety data sheet and label to identify any personal protective equipment that will be needed to prevent a possible exposure.
- Mix the pesticides/herbicides in a well-ventilated, well-lit area. Mix only a recommended rate and apply only at specified dosages.
- Check application equipment for leaking hoses or connections, plugged or worn nozzles, and examine the filter to ascertain that it is free of debris.
- Employees shall avoid contact with skin or inhalation of mists or spray.
- Material safety data sheets (MSDS) shall be maintained and kept near material and storage locations.
- Spray equipment shall be cleaned daily when using oil-based solutions.
- Pesticides/herbicides shall not be stored or disposed of where they could contaminate people, property or waterways.
- Empty containers shall be disposed of in a safe manner.
- Pesticides/herbicides should only be applied under favorable time and weather conditions.
- Do not eat, drink or use tobacco products while handling pesticides/herbicides.

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Section: SAFETY MANUAL	Reference Number: 202.32
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: CHAINSAW SAFETY	Last Revision Date:

Personal Protective Equipment

Employees operating a chain saw or related equipment shall, at a minimum, wear:

- safety glasses and/or face shields
- head protection
- hearing protection
- gloves
- cut-resistant chaps
- work shoes or boots
- fall protection, if necessary

Chain Saw Operation

- When starting a chain saw, it shall be placed on the ground or against a solid support. Do not hold the chainsaw off the ground when starting.
- Ensure the chain brake, if equipped, is locked before starting.
- The operator shall grip the chain saw with both hands during the entire cutting operation.
- The saw bumper shall be against the tree or limb before starting a cut.
- Chain saw operators shall regularly clear the immediate area around their work to make certain that brush or limbs will not interfere with the chain saw or operator.
- Chainsaws shall not be modified in such a way to allow locking of controls in the “on” position.
- The saw engine or motor shall be stopped when:
 - Working on any part of the chain or cutting bar.
 - Being moved from one location to another.
 - The unit is unattended.
- Gasoline driven chain saw engines shall be stopped when being refueled. If gasoline is spilled on the chain saw during refueling, it shall be wiped off before the engine is started.
- A gasoline driven chain saw shall not be used above shoulder level. Employees shall not approach the chain saw operator with the reach of the saw blade while it is in operation.
- Ropes, pulleys, etc. should be used as necessary to lower larger limbs that may endanger persons and property if allowed to “free-fall”.
- The proper use of fall protection and/or ladders should be reviewed with all employees prior to working from a position other than ground level.

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Section: SAFETY MANUAL	Reference Number: 202.33
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: TREE CUTTING & TRIMMING SAFETY	Last Revision Date:

Before attempting to trim, cut, or remove any tree, carefully consider its characteristics. Items to be considered include:

- Tree lean
- Tree size
- Wind conditions
- Nearby structures
- Nearby utilities
- Other trees or brush in the vicinity

Before cutting, clear the ground around the tree(s) where the work will be performed, carefully, removing any underbrush or other obstructions. This will provide clear vision, unrestricted movement, and an unhampered escape route when the tree or limb begins to fall.

In advance of the cutting, plan an escape route to the side or rear, depending upon the situation and likely direction of tree and limb fall.

As the tree or large limb begins to fall, stop the saw and lay it in a safe place that will allow unrestricted escape.

Trimming & Cutting Procedures

- Hold the saw firmly with both hands.
- If cutting entire tree, make a cut close to the base of the tree but high enough to conveniently avoid running the saw near the soil.
- Cut through trees up to 8-inches in diameter with one cut.
- On larger trees, notch (undercut) at least one-third of the trunk diameter on the fall side of the tree. Then, make a lower cut of the 45-degree notch first to prevent pinching or binding of the chain by wedge cut, if used.
- Make the cut to initiate the fall on the opposite side of the trunk about 2-inches above and parallel to the horizontal notch. Leave wood fibers intact to act as a hinge to keep the tree from twisting and falling in the wrong direction or kicking back on the stump.
- Guide the saw into the tree, do not force it.
- Remove the saw from the tree and shut down before the tree falls.

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Preventing Saw Kickback

- Hold the saw firmly with both hands.
- Grip the top handle of the saw by wrapping hand and thumb firmly around handle.
- Use a saw equipped with chain brake or kickback guard.
- Watch for twigs or other impediments that could snag the chain.
- Don't pinch the chain bar while cutting.
- Saw with the lower part of the bar close to the bumper, not on the top near the nose.
- Maintain high saw speed when entering or leaving a cut in the wood.
- Keep the chain sharp.

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Section: SAFETY MANUAL	Reference Number: 202.34
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: FORKLIFT SAFETY	Last Revision Date:

- Forklifts shall only be operated by authorized persons who have been properly trained in their use. This training should be documented and consistently used with all authorized operators and trainees.
- The operator is responsible for inspecting the equipment before it is used. The brakes and controls shall also be tested by the operator prior to use. Needed repairs shall be reported immediately.
- Equipment shall be operated at a safe speed for existing conditions, moving slowly around corners and avoiding holes and loose materials.
- Seat belts shall be worn when operating a forklift with rollover protection.
- Clearances shall be checked in all directions, particularly overhead clearances.
- Forklifts shall not be fueled while the engine is running.
- Forks shall be placed under the load as far as possible. Loads should not be raised or lowered while traveling. Loaded or empty, forks should be carried as low as possible, but high enough to clear uneven surfaces. (Usually about 6-12 inches on level surfaces.)
- Operators shall always face the direction of travel and also keep their arms and legs inside the equipment.
- Load limits as specified by the manufacturer shall not be exceeded.
- Do not travel with the load raised as this causes the center of gravity to rise, which may affect the tipping potential.
- Only the operator shall be allowed on the equipment during operation, unless a seat is provided for another occupant.
- A secured platform specifically designed for the purpose must be used when lifting personnel.
- Unattended forklifts (i.e., those in which the operator is more than 25 feet away or the forklift not in his/her view) shall have the load fully lowered, controls neutralized, power shut off and brakes set.
- Equipment with internal combustion engines shall not be operated in enclosed areas for long periods of time so as not to exceed the allowable levels of carbon monoxide.

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Section: SAFETY MANUAL	Reference Number: 202.35
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: BACKHOE & LOADER SAFETY	Last Revision Date:

- Operators shall be adequately trained and qualified to operate the equipment. The operators shall become thoroughly familiar with the equipment before using it and they must understand the contents of the operator's manual.
- The operator is responsible for inspecting the equipment before it is used. The brakes and controls shall also be tested by the operator prior to use. (Needed repairs shall be reported immediately). Observe proper maintenance and repair of all pivot pins, hydraulic cylinders, hoses, snap rings and main attachment bolts daily.
- Seat belts shall be worn on all equipment with rollover protection.
- Back-up alarms are a useful warning device and should be used when possible, especially on larger vehicles and equipment that may severely restrict your view to the rear of the vehicle. If an alarm is not present, the operator should honk his horn to warn others of the moving vehicle. Back-up alarms should be operable at all times.
- Only the operator shall be allowed on the equipment during operation, unless a seat is provided for another occupant.
- Employees shall never be allowed to ride in the bucket or use the bucket for an elevated platform.
- Walk around the equipment to observe for children and others before starting up. Consider the use of a spotter when backing the equipment.
- Keep bystanders in the clear while operating the equipment.
- Never attempt to lift loads in excess of the equipment capacity.
- Never allow anyone to get under the equipment or reach through the lift arms while the bucket is raised.
- Relieve the pressure in any hydraulic lines before disconnecting them to make repairs. Any hydraulic implements that are not relieved, shall be physically blocked to protect against mashing injuries during maintenance or repair activities. Physical blocks may include safety stands, timbers, cinder blocks, etc. that can withstand the force.
- Use care at all times to maintain proper stability. Drive at safe speeds over rough ground, on slopes, when crossing ditches and when turning corners.
- To prevent upsets when operating on a slope, avoid using the full reach and swinging a loaded bucket to the downhill side.
- Always center and raise the boom before moving to a new location.
- Do not attempt to exit the equipment while it is still in motion. Apply the parking brake and shut down the engine before leaving equipment.
- Lubrication activities or mechanical adjustments shall not be attempted while the equipment is running if there is a possibility of contacting a pulley, belt, shaft, etc. that is in motion.
- Park the equipment on level ground when possible. As a minimum, the bucket should be lowered, the brakes set, the transmission engaged, and engine killed when parking.

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- Use care in attaching towing lines to the equipment. Pulling from the tractor rear axle or any point above the axle may cause an accident.
- Slow moving placards and other warning devices should be used to help other motorists in spotting the slow-moving vehicle from a safe distance.

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Section: SAFETY MANUAL	Reference Number: 202.36
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: AERIAL BOOM & SCISSOR LIFT SAFETY	Last Revision Date:

- Only authorized persons who are properly trained and qualified shall use or operate aerial devices.
- The hydraulic system and the lift controls shall be checked and tested daily before use to determine if such features are in safe working condition. Malfunctions or unsafe operational conditions shall be reported. Equipment that is not in proper operational condition shall not be used.
- The operating and maintenance instruction manuals issued by the manufacturer shall be followed. Maintain and operate elevating work platforms according to the manufacturer's instructions. Aerial devices shall not be "field modified" unless such modification is certified by the manufacturer.
- Never override hydraulic, mechanical, or electrical safety devices.
- Never move the equipment with workers in an elevated platform unless this is permitted by the manufacturer.
- Do not allow workers to position themselves between overhead hazards, such as joists and beams, and the rails of the basket. Movement of the lift could crush the worker(s).
- Maintain a minimum clearance of at least 10 feet, or 3 meters, away from the nearest energized overhead lines.
- Always treat power lines, wires and other conductors as energized, even if they are down or appear to be insulated.
- Use a body harness or restraining belt with a lanyard attached to an approved anchoring point to prevent the worker(s) from being ejected or pulled from the basket.
- Set the emergency brakes and use wheel chocks when on an incline.
- Use outriggers, if provided. When outriggers are used, they shall be set on pads or on a solid surface. Outriggers shall not be extended or retracted outside of clear view of the operator unless all persons are outside the range of possible equipment.
- Do not exceed the load limits of the equipment. Allow for the combined weight of the worker, tools and materials.

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Section: SAFETY MANUAL	Reference Number: 202.37
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: DUMP TRUCK SAFETY	Last Revision Date:

- Employees or other individuals shall not be carried in the bed for transportation purposes.
- Check overhead clearances before raising the bed. Be aware of overhead electrical lines.
- Be sure hoist is not engaged before moving the truck.
- All material shall be covered to prevent blowing debris and spillage.
- Close windows during loading/unloading to control dust accumulation inside the cab.
- Operators of dump trucks must possess a valid Commercial Driver's License.
- Cell phones and other electronic equipment are not to be used while operating a dump truck.
- Operators are responsible for cleaning debris, mud, rocks, etc. from the bed, fenders and other body parts that may become dislodged during travel.
- Back-up alarms are a useful warning device and should be used when possible, especially on larger vehicles and equipment that may severely restrict your view to the rear of the vehicle. If an alarm is not present, the operator should honk the horn to warn others of the moving vehicle. Back-up alarms should be operable at all times.
- All mirrors should be maintained in clean, good working condition and adjusted to assist the operator in viewing obstructions or other vehicles.

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Section: SAFETY MANUAL	Reference Number: 202.38
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: TRACTOR & SHREDDER SAFETY	Last Revision Date:

- The operator shall wear a securely fastened seat belt if the tractor/shredder is equipped with rollover protection.
- Guards around chains, shafts, pulleys, gears, etc. shall always remain in place while the equipment is in operation.
- Use caution when operating near slopes, cuts, depressions, drop-offs, soft shoulders, ditches, etc. Operators shall constantly watch for hidden objects and uneven ground. Hazardous areas shall be pre-cleaned and special hazards removed prior to mowing.
- Use care when entering traffic areas, crossing railroad tracks, etc.
- Back-up alarms are a useful warning device and should be used when possible, especially on larger vehicles and equipment that may severely restrict your view to the rear of the vehicle. If an alarm is not present, the operator should honk his horn to warn others of the moving vehicle. Back-up alarms should be operable at all times.
- Only the operator shall be allowed on the equipment during operation, unless a seat is provided for another occupant.
- Lubrication activities or mechanical adjustments shall not be attempted while the equipment is running if there is a possibility of contacting a pulley, belt, shaft, etc. that is in motion.
- Take sharp turns at low speed.
- Proper personal protective equipment shall be worn at all times. On a tractor with an uncovered cab, the operator should as a minimum wear safety glasses and hearing protection. Other personal protective equipment such as gloves, face shields, sleeves, boots, etc. should be evaluated for individual jobs. Sunscreen should also be used in areas where the operator may be exposed to sunlight for long periods of time.
- Slow-moving placards and other warning devices should be used to help other motorists in spotting the slow-moving vehicle from a safe distance.

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Section: SAFETY MANUAL	Reference Number: 202.39
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: LANDSCAPING & GROUNDS MAINTENANCE SAFETY	Last Revision Date:

Power Lawn Mowers (Push, Riding, and Zero-Turn Radius)

Prior to use:

- Review the instruction/owner's manual, especially if you are unfamiliar with a particular piece of equipment.
- Ensure that all mowers are equipped with adequate and appropriate guards, which shall remain in place while the mower is in use, including rear shields, grass chute/deflector, and 'dead-man' controls.
- Any adjustments, inspections, or repairs, should be completed while the mower is at a complete stop. A spark plug wire shall be removed if necessary to prevent accidental starting.
- Fill the fuel tank outdoors. No smoking allowed while fueling.
- Walk the area to be mowed, carefully removing any debris including rocks, limbs, logs, or anything else the mower blades could throw while cutting.

Mower Operation

- Proper personal protective equipment shall be worn for the task being performed. Necessary personal protective equipment includes protective eyewear, face shields, hearing protection, gloves, and work boots.
- Avoid directing the discharge opening toward other individuals or vehicles in the vicinity.
- When mowing on a slope or incline, it is safer to mow up and down the hill rather than across the face of the slope. Do not operate mowers on a slope greater than 15 degrees.
- Avoid wet slopes to prevent losing traction and tipping over.
- Keep the mower's movement steady and slow enough to adequately maintain control.
- Maintain a safe distance from drop-offs, water, and other hazards.
- Do not make rapid corrections or turns.

Chippers

- Proper protective eyewear and hearing protection shall be worn by all employees near the chipper and other personal protective equipment may be necessary depending on the activity. In addition, workers must be aware of entanglement hazards involving loose fitting clothes, gloves, etc.
- Chippers shall never be parked directly under the tree being trimmed.

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- If the chipper is parked on or near the roadway, advance warning signs, flaggers, cones, etc. shall be used to identify and protect the work area.
- Spectators shall never be allowed to stand near the machine while brush is fed into the chipper.
- Employees shall never place hands or other parts of the body into the brush chipper while the chipper is in operation.
- The battery cables shall be disconnected prior to performing any task that may potentially put you in contact with the cutting blades.
- Tools or other metallic objects shall not be used to push brush into the chipper.
- The ignition key shall be removed when the chipper is left unattended.
- Employees shall be familiar with emergency shut-off procedures and ensure that the emergency shut-off is operational prior to use.

Line Trimmers & Edgers

- Proper protective eyewear and hearing protection shall be worn by all employees near the chipper and other personal protective equipment may be necessary depending on the activity.
- Never install a blade on a trimmer or edger that was not specifically designed for that machine.
- Carefully trim around vehicles, doorways, parking lots, and other areas where others may be as flying debris may cause injury.
- Allow machines to properly cool down prior to re-fueling. Hot engine parts and mufflers may cause a fire should fuels be spilled on or in them.

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Section: SAFETY MANUAL	Reference Number: 202.40
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: POISONOUS PLANT AWARENESS	Last Revision Date:

Poison Ivy, Oak, and Sumac are classified as *Toxicodendrons* as the substances found in the sap are collectively known as urushiols. Other related plants and/or plant products (fruits, leaves, etc.) also contain similar oils.

Poison Ivy usually has three broad, spoon-shaped leaves or leaflets, but can have more. It may grow as a climbing vine, a creeping vine, or as a bush or shrub, depending upon the surrounding terrain and locale. Leaves are generally 1.5 to 4.5 inches long and 1.5. to 4.5 inches wide and can be shallowly lobed or almost entirely serrated. Poison Ivy is very common throughout Texas, often found along river or creek beds, fencerows, roadsides, and edges of open fields.

Poison Oak has leaves that look generally like oak leaves with usually three, but sometimes up to seven leaflets per group can be anywhere from one to six feet tall. As with Poison Ivy, Poison Oak grows as both a vine and shrub; however, Poison Oak vines generally do not climb. Poison Oak is generally found in more arid, sunny locations.

Poison Sumac has seven to thirteen paired leaflets per leaf stem and the leaves have smooth edge and pointed tips. It is generally found in wooded, swampy areas such as creeks and wetland areas. It is also important to remember that these plants may take on different characteristics during the various seasons and in different locations throughout the country.

- Sensitivity to these plants can vary and some people who do not appear sensitive may develop a sensitivity on later exposures.
- Exposures to poison ivy, poison oak or sumac are greatest in the spring and summer months when the oil (urushiol) is most abundant.
- Onset of the rash is from a few hours to several days after exposure. The skin becomes red, blisters appear, usually accompanied by itching. As symptoms progress, swelling and fever may develop.
- If you are going to be in areas where you know poison oak or ivy is likely to grow, wear long pants and long sleeves, and if practical, gloves and boots. Your best protection is to identify the plant and avoid contact. Barrier creams can provide even greater protection and should be used prior to work in affected areas.
- Be aware that the plant's oily resin sticks to almost all surfaces and can even be carried in the wind (on particles of dust) when there is a fire burning.

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- If you think you have contacted poison ivy, follow these simple procedures:
 - Wash all exposed areas with cold running water as soon as you can. If this is done within five minutes, the water should neutralize or deactivate the urushiol in the plant's oil before it can bond with your skin and create a rash. Soap is not necessary and may even spread the oil.
 - If possible, change clothes. Wash all clothing outside with a water hose before taking it into the work area or home to prevent the oil from being transferred to furniture or rugs. Resinous oils can last on tools and clothing for months unless properly cleaned or laundered.
 - Mild rashes can be treated with lotions and by soaking in an oatmeal bath or covering the rash with wet compresses. Contact a physician for treatment of severe cases or if the irritation is not cleared up in three or four days.

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Section: SAFETY MANUAL	Reference Number: 202.41
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: PAINTING SAFETY	Last Revision Date:

- Read and follow the manufacturer's directions carefully when applying any finishing materials, such as lacquer, enamel, paint, etc. if questions arise as to the hazards of the substance, refer to the applicable Material Safety Data Sheet (MSDS).
- Personal protective equipment, as recommended by the manufacturer, shall be used when applying the products.
- Any spray painting must be done with an adequate amount of clearance from any potential sources of ignition. When possible, painting should be performed in isolated areas where ignition sources do not exist or are very minimal.
- Proper ventilation and/or adequate respiratory protection must be addressed before any application begins.
- Any flammable substances, such as paints, thinners, etc., must be stored in proper storage areas or in a UL listed metal storage cabinet.
- Any flammable substances removed from their original containers shall be stored in UL listed storage containers, if the original container will not meet the requirements.
- Bond metal containers when transferring flammable liquids, especially those that are known Class I flammable liquids. Refer to Material Safety Data Sheets for flammability information.
- Use the proper type of respirator at all times when applying toxic paints. If questions arise as to the toxicity of the paint, refer to the applicable Material Safety Data Sheet (MSDS).
- All employees required to use respirators shall be included in the City of Keene *Respiratory Protection Program* and trained on the proper use of the assigned respirator. The employees shall also be made aware of any limitations of the respiratory protection.
- Never have more than one day's supply of flammable substances outside of an approved storage area.
- Clean up all spills promptly and in accordance with the requirements on the Material Safety Data Sheet (MSDS).
- Dispose of oily, paint or solvent-soaked rags in metal containers with tight fitting lids to prevent possible chemical reactions that may result in "spontaneous combustion."
- Use properly designed and erected ladders, scaffolds, elevated mobile work platforms, etc., when painting above ground level. Do not work or place elevated equipment within 10 feet of power lines.
- When using spray guns and compressed air:
 - Follow all rules concerning the safe handling of combustible and flammable materials.
 - Exercise caution in the handling of compressed air equipment.
 - Adjust and regulate the air pressure on the spray gun before starting work.
 - Clean the spray gun and other equipment thoroughly after each use.

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- Read and follow the manufacturer's directions carefully when applying any finishing materials, such as lacquer, enamel, paint, etc. if questions arise as to the hazards of the substance, refer to the applicable Material Safety Data Sheet (MSDS).
- Personal protective equipment, as recommended by the manufacturer, shall be worn when applying the products.
- If a spray booth is available, it should be used whenever possible. All employees should be trained on the use of the booth ventilation system and it should be in operation during every spraying operation.

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Section: SAFETY MANUAL	Reference Number: 202.42
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: OFFICE SAFETY	Last Revision Date:

- Employees shall walk cautiously up and down stairs and use handrails whenever possible.
- Caution shall be exercised when walking around blind corners.
- Desk drawers and file cabinets shall be kept closed when not in use.
- Only one drawer of a file cabinet shall be pulled out at a time.
- Boxes, chairs, buckets, etc. shall not be used in place of ladders.
- The floor shall be kept clear of tripping hazards such as telephone cords, electrical extension cords, paper cartons, etc.
- Employees mopping or waxing floors shall place warning signs to alert co-workers of the potential for slippery floors. In addition, all liquid spills shall be cleaned up immediately and signs put in place until the hazard is alleviated.
- Material shall be stored on shelves in a manner to prevent falling; heavy objects shall be placed on lower shelves.
- Hallways and aisles shall be kept clear of obstructions.
- All emergency exits, electrical panels, fire extinguishers, and emergency equipment shall be kept clear of all obstructions.
- Solvents or other toxic substances shall be used only with adequate personal protection or in well-ventilated areas. Material Safety Data Sheets (MSDS) should be accessible to all employees who are using these substances.
- Employees shall not attempt to clean, oil or adjust any machine that is running. If the machine is not equipped with a starting switch that can be locked in the “off” position, it shall be disconnected from the power source.
- Unsafe electrical cords, faulty equipment, or any other hazardous condition shall be reported and taken out of service until the repairs are completed.
- Broken glass and other sharp objects shall not be placed in wastepaper containers.

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Section: SAFETY MANUAL	Reference Number: 202.43
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: ERGONOMICS AWARENESS	Last Revision Date:

Work Stations, Desks, and Counter-Tops

- Chairs should be easily adjustable and provide good lumbar support. If feet cannot rest firmly on the ground, a footrest may be provided. Chairs with a five-point base are recommended due to the stability that is provided.
- Sufficient leg room must be allowed for seated operators.
- Position the monitor directly in front of the operator. The operator's eyes should be level with the top of the screen. Viewing distance between the user's eyes and the screen should be approximately 16 to 22 inches.
- The equipment or sources of light should be positioned so that glare or bright reflections on the display screen are minimized.
- Adjust the height of the chair and/or keyboard so that the shoulder-elbow-arm angle is approximately 70-90 degrees.
- Keyboard heights and placement should be adjustable. Use a cushioned palm rest if needed to keep user's hands and fingers in the same plane as the forearm and avoid resting wrists and forearms on sharp table edges.
- Work surface heights should range from 23 to 28 inches for seated work stations. In addition, your work area should be well organized with routine operations within easy reach and easily accessible.
- Document holders should be placed adjacent to and at the same height as the display screen.
- Operators should adjust positions frequently and get up and move around to help avoid fatigue.

Lighting, Noise and Heat

- Adequate but not excessive heat should be provided during cooler weather.
- Windows should be equipped with adjustable blinds.
- Use task lighting where extra illumination is required.
- Noise above 85 to 90 decibels (DBA) may be harmful to workers. When exposed to high noise levels, employees shall utilize hearing protection equipment to ensure proper working conditions.
- Whenever possible, isolate noisy machines and equipment in a remote location.
- Tailor work practices to prevent heat/cold-related disorders. Employees exposed to hot environments must know the appropriate medical steps to counteract life threatening situations such as hypothermia, heat stroke, heat exhaustion, and heat cramps.

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Section: SAFETY MANUAL	Reference Number: 202.44
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: AGGRESSIVE ANIMAL AWARENESS	Last Revision Date:

- Any employees who are likely to encounter an aggressive animal during the performance of their normal duties, such as police officers, firefighters, meter readers, utility workers, etc. should be provided basic instructions to protect themselves.
- Call Animal Control immediately if you contact an aggressive animal.
- Clear the area of other people while waiting for Animal Control. Crowds may scare the animal and cause it to attack.
- Call for the animal's owner or handler.
- Do not run away unless you are certain of quickly reaching a place of safety.
- Back away slowly while continuing to speak in a firm, calm voice.
- Back against any available object to prevent an attack from the rear if more than one animal is present.
- If attacked, use a baton, billy club or stick to strike the animal rather than throwing anything at it. Sprays may also be useful as a deterrent if available but should only be used if you are not downwind and have been made familiar with its use.

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Section: SAFETY MANUAL	Reference Number: 202.45
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: WORKPLACE VIOLENCE AWARENESS	Last Revision Date:

Recognition

Recognize signs that may precede violence in your co-workers or customers and report them to your supervisor. Be cautious when you deal with a person who:

- Makes verbal threats on the job about getting “even” with co-workers or with your employer for disciplinary action or dismissal.
- Regularly threatens or intimidates others
- Claims people are out to get him or her
- Talks a lot about weapons
- Holds grudges
- Blames others for problems or setbacks
- Gets angry very easily and often
- Is defensive when criticized

Reporting

Report the following situations, events, or behaviors to your supervisor:

- A customer that becomes unusually angry with you because of perceived slow service, perceived poor conduct quality or lack of information
- A customer who talks abusively when making a telephone complaint
- A customer who threatens you or co-workers.

Respond

Respond effectively to a threatening or violent situation:

- Take all threats seriously
- Stay calm and be polite, look the person in the eye and do not argue or threaten
- Address each customer with a friendly greeting when you are on the phone or meeting the customer in person
- Be courteous at all times
- Notify the police if you are frightened-or use a warning signal to alert co-workers
- Ask your employer for training to help you deal with the public.

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Protect

Protect yourself and co-workers on the job:

- Keep security and police department numbers near your phone.
- Know how to use an alarm or alert staff to possible danger.
- Develop a danger signal you can use to alert others to possible danger.
- Meet visitors in the lobby and escort them to your work area.
- Report any unusual packages to appropriate personnel, do not open suspicious packages.
- Lock purses and personal belongings in a desk or locker.
- Report signs of a break-in and missing items immediately.

Security

Follow security policies and procedures:

- Keep locked door locked, do not prop them open.
- Wear name tags or badges when required.
- Do not share access cards or entry codes.
- Do not allow non-employees (including ex-employees) to avoid sign-in and other visitor entry procedures.
- Do not engage in fistfights or other aggressive behavior at work.
- Do not bring a weapon to work or leave one in your car.
- Do not drink or use drugs at work, or work under the influence.
- Report all threats and security violations.

After-Hours Work

Take special precautions when working late or alone.

- Inform someone that you are working late.
- If possible, relocate your vehicle closer to the building.
- Advise the Police Department that you are working late and request a close patrol or escort when you leave.
- Lock the door to your work area if you are alone.
- Work near a phone.
- Work with lights on.
- Avoid using dark stairways or halls.
- If working with others, try to leave and walk to transportation together.
- Have your car keys ready as you leave the building.
- Check under and inside your car before unlocking it.
- Lock your car as soon as you are seated in it.
- Walk confidently and quickly to show that you know where you are going and what you are doing.
- Try to run away from an attacker if possible.
- Yell if you are being attacked to alert others.
- Give an attacker money or jewelry on demand.

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Section: SAFETY MANUAL	Reference Number: 202.46
Subject: GENERAL SAFETY RULES & DEPARTMENT/OPERATION SPECIFIC SAFETY RULES	Initial Effective Date: 11/01/2018
Title: INDOOR AIR QUALITY	Last Revision Date:

Regular and thorough cleaning is important to ensure good indoor air quality. Unsanitary conditions attract insects and vermin leading to possible indoor air quality (IAQ) problems from animals, insects, allergens or pesticide use. The presence of dirt, moisture, and warmth also stimulates the growth of molds and other microbiological contaminants. While janitors or custodians typically clean administrative offices, you can also play an important role in promoting and maintaining workplace cleanliness. The following items should be considered to ensure proper air quality in your work environment.

General Items

- Make sure that the office is dusted and vacuumed thoroughly and regularly.
- Make sure trash is removed daily.
- Make sure that food is not kept in offices overnight.
- Look for signs of pests.

Spills and Drain Traps

- Clean up spills on carpets involving liquid immediately.
- Make sure to pour water down drain traps periodically to minimize possibility of backups and the potential to allow sewer gases in rooms.

Moisture

- Excess moisture is the result of condensation on cold surfaces, leaking or spilled liquids, or excess humidity in the air.
- Periodically check for condensates on cold surfaces such as window glass, sills or frames, and air-condition vents. A routine maintenance program would help identify potential issues before they escalate into long-term problems.
- Seasonally inspect and repair leaking roofs to prevent water from entering the building.
- Check crawl spaces for standing water.
- Drain, clean, and decontaminate drip pans, cooling towers, room air conditioners, humidifiers, and dehumidifiers on a regular basis according to manufacturer's specifications.
- Replace water-damaged carpets, furnishings, ceiling tiles or building materials as necessary.

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Temperature and Humidity

- Generally, temperature should range between 72-76 degrees Fahrenheit to ensure adequate comfort factors in the workplace.
- Humidity levels should range between 30% to 60%.

Local Exhaust Ventilation

- Local exhaust fans are recommended to prevent air pollutants from accumulating and spreading beyond the local area or room where pollutants are generated. Areas where exhaust ventilation should be considered will include smoking areas, kitchens, and break-rooms.

Air Exchange Ventilation

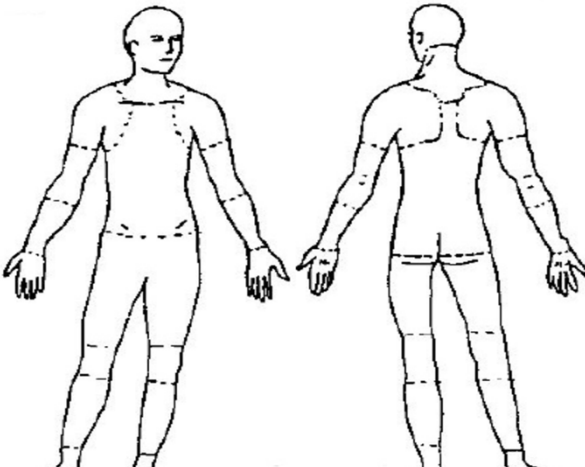
- Have the heating, ventilating and air conditioning system inspected on a regular basis.
- Ensure that the ventilation system is working correctly to allow indoor air to be exhausted outside and outside air is drawn into the building.
- Make sure to periodically check unit ventilators, air supply, and return vents to ensure that they are working properly. To confirm that the air is flowing into the room from the air supply vents:
 - Hold a tissue or strips of lightweight plastic near the supply vents. If air is flowing, the plastic or tissue will flutter away from the supply vent.
 - Make sure that the airflow is not diverted or obstructed by objects.

Printing and Duplicating Equipment

- Printing and duplicating equipment can generate indoor air pollutants. Common types of equipment found in the workplace include photocopiers and computer laser printers. To reduce indoor air quality concerns with this type of equipment:
 - Make sure the equipment is located in a ventilated area.
 - Have safety equipment available such as dust mask, respirator, gloves, and eye protection to minimize contact.
 - Provide routine maintenance for equipment to ensure that is operating correctly.

ACCIDENT INVESTIGATION REPORT

Instructions: *Employees shall use this form to report all work-related injuries, illnesses, or "near miss" incidents (which could have caused injury or illness) - no matter the severity. This aids in the identification and correction of hazards and in the prevention of future occurrences.*

This is a report of a work-related:			
Injury	Illness	Near Miss	Fatality
Employee Name:		Department:	
Date of Occurrence:		Time of Occurrence: am pm	
Part of Body Affected (Highlight all that apply)		Type of Injury (most serious)	
		Abrasion, scrape ☐ Amputation ☐ Broken Bone ☐ Bruise ☐ Burn (heat) Burn ☐ (chemical) ☐ Concussion ☐ Crushing Injury ☐ Cut, laceration, puncture ☐ Damage to body system ☐ Exposure ☐ Hernia ☐ Illness ☐ Poison Plant Exposure ☐ Sprain, Strain ☐ _____ ☐ _____ ☐ _____	
DESCRIPTION OF THE ACCIDENT/INCIDENT			
Where, exactly, did the incident occur?			
What was the injured employee doing at the time of the incident? Describe the type of work being performed and any special equipment or tools being used.			
Describe, step-by-step, what led up to the incident.			

****Please complete all three pages****

ACCIDENT INVESTIGATION REPORT

CAUSES OF THE ACCIDENT

Using the list below, please identify cause(s) or potential cause(s) that contributed to this incident.
Check all that apply.

- | | |
|---|---|
| ☐ Improper instruction | ☐ Failure to lockout |
| ☐ Lack of training or skill | ☐ Inadequate lighting |
| ☐ Operating without authority | ☐ Inadequate ventilation |
| ☐ Horseplay | ☐ Unsafe lifting |
| ☐ Physical or mental impairment | ☐ Inoperative safety device Failure to |
| ☐ use proper personal protective equipment | ☐ Unsafe arrangement or process |
| ☐ Unsafe clothing | ☐ Improper use of equipment |
| ☐ Improper maintenance | ☐ Failure to use available tools/equipment |
| ☐ Unsafe/Defective tool or equipment | ☐ Poor housekeeping |
| ☐ Distraction | ☐ _____ |

Why did the unsafe condition exist?

Why did the unsafe acts occur?

Was there a reward, incentive, or supervisory order, or time constraint that may have encouraged the unsafe conditions or acts to occur?

☐ Yes

☐ No

Were the unsafe acts or conditions reported prior to the incident?

☐ Yes

☐ No

Have there been similar incidents or near misses prior to this one?

☐ Yes

☐ No

If 'Yes' to any of the above three, please provide a detailed explanation below.

ACCIDENT INVESTIGATION REPORT

ACCIDENT PREVENTION

What changes are recommended to prevent future occurrences of similar incidents?

- | | |
|--|---|
| ☐ Stop this activity/task | ☐ Develop a new policy/procedure |
| ☐ Redesign the activity/task | ☐ Additional personal protective equipment |
| ☐ Redesign the workstation | ☐ Additional oversight by supervisor(s) |
| ☐ Train the employee(s) | ☐ Routinely inspect for the hazard |
| ☐ Train the supervisor(s) | ☐ _____ |
| ☐ Enforce existing policy/procedure | ☐ _____ |

What should be (or has been) done to facilitate the recommendations identified above?

WITNESS INFORMATION

List the names of anyone witness to the incident. Provide phone numbers if the witness is not an employee.

Name		Phone Number

DEPARTMENTAL REVIEW

Investigation report completed by:

Name

Date

Employee's Supervisor

Name

Date

Department Head

Name

Date

Please complete all three pages