



## **CITY OF NEW BRAUNFELS POLICIES AND PROCEDURES**

**PROCEDURE(S): INTRODUCTION AND DISCLAIMER**

**EFFECTIVE DATE: MAY 20, 2019**

**REVISION DATE(S):**

### **INTRODUCTION AND DISCLAIMER**

#### **I. Purpose**

The purpose of the City of New Braunfels Policy Library is to provide all City of New Braunfels employees with policies and procedures for an efficient work environment.

##### **A. Objectives:**

1. Promote and increase efficiency, responsiveness to the public, and economy in City service;
2. Provide opportunity for qualified persons to enter and progress in City service based on merit and fitness;
3. Maintain recruitment, advancement, and tenure practices enhancing the attractiveness of a City career and encouraging all employees to give their best effort to the City and the public;
4. Maintain consistent, up-to-date position classification and compensation plans based on the relative duties and responsibilities of jobs in City service; and
5. Promote morale among City employees by fostering good working relationships and providing uniform human resources policies.

##### **B. Responsibilities**

1. The Director of Human Resources shall advise and support management in all areas, including employee-management relations; training and career development; classification; compensation; benefits; retirement programs; and employee health, safety and morale.
2. The administration of policies and procedures rests with the City Manager, Human Resources Department, Department Directors, and the Division Managers/Supervisors.
3. All employees shall be made aware of the existence of these policies and procedures, and it is the responsibility of each employee to familiarize himself/herself with the contents of the Policy Library and to follow its policies and procedures.
4. The Human Resources Department will ensure that the most up-to-date versions of the Policy Library policies and procedures are available to each employee on the City of New Braunfels website and a signed employee acknowledgement is obtained from each



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employee. The employee acknowledgement will be placed in the employee's Human Resources File.

5. Department Directors and Division Managers/Supervisors are responsible for enforcing the provisions of these policies and procedures and for partnering with the Human Resources Department on all related matters pertinent to their organizational units.
6. Department Directors and Division Managers/Supervisors may adopt supplemental guidelines, policies and procedures, and work rules, not in conflict with these City-wide policies, subject to the approval of the Human Resources Director.
7. These rules apply to all City employees except where inconsistent with local, Texas or federal law, or the City Charter in the case of City Council appointed officials. An independent contractor is not considered a City employee and these rules do not apply to such individuals. No one should construe these rules to limit the power of the City Manager and/or Department Director to issue and enforce additional Human Resources policies and procedures not in conflict with local law, state statutes, these policies, or federal law.
8. Department Directors, with assistance from the Human Resources Department, are given the responsibility for the effective and efficient operation of their departments. Nothing in the Policy Library shall be interpreted to prevent or restrict a Department Director from transferring, reassigning, demoting, evaluating, training or disciplining his/her staff when it is in the best interest of the City, the department's effective and efficient operation, and in substantial compliance with these policies.
9. The authority to review and interpret the provisions of these policies and procedures is given to the City Manager. The City Manager has the authority to overrule, revise, amend, or uphold any interpretation of these policies and procedures. The City Manager may request a legal opinion from the City Attorney to assist in the interpretation of these policies and procedures.
10. No one should construe these policies and procedures as an employment contract and no City employee may bind the City to an employment contract. Each Department Director is a part of the management team, serves at the will of the City Manager, and has no property rights in his/her position.

## **II. Policies and Procedures**



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#### **A. Applicability**

These policies and procedures apply to all City employees except in the following circumstances:

1. When policies and procedures are inconsistent with the proper application of the Firefighters' and Police Officers' Civil Service Law and standard operating procedures.
2. When specific appointment and removal power is vested in the City Council or others by the City Charter.
3. For elected officials, members of appointed boards or commissions, persons employed under contract to supply professional and technical services, and personnel appointed to serve without pay.

#### **B. Distribution and Access**

The City of New Braunfels Policy Library is available to all employees on the City's website [www.nbtexas.org](http://www.nbtexas.org). Paper copies can be requested from the Human Resources Department.

#### **C. Manual Revision and Maintenance**

The Director of Human Resources is delegated the responsibility for developing, administering, interpreting and maintaining the City of New Braunfels Policy Library. The policies and procedures are subject to review and approval by the City Manager.

All employees are responsible for updating the Policy Library editions in their custody.

Any employee may recommend a revision to an existing personnel policy or procedure or suggest a new policy or procedure. This may be accomplished by submitting a request and draft of the proposal or revision to the Director of Human Resources or his/her designee.

### **III. General Provisions**

The general provisions include equal employment opportunity and affirmative action and the Standards of Conduct and Ethics.



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### **A. Equal Employment Opportunity/Affirmative Action**

The City of New Braunfels is committed to equal employment opportunity for all employees and applicants for employment. The commitment includes the following:

#### **1. Equal Opportunity**

The City of New Braunfels is an equal opportunity employer. Employment decisions are based on business records, conduct and merit, and not on race, color, religion, gender, sex, age, disability status, national origin, genetics, political affiliation, veteran status, or any protected classification under Federal or state law.

The City of New Braunfels complies with the law regarding reasonable accommodation for a person with a disability, and all other federal and state laws. The City of New Braunfels will not discriminate against any qualified employee or job applicant with respect to any terms, privileges or conditions of employment because of a person's physical or mental disability.

Equal opportunity applies to all programs administered by the City of New Braunfels, including all employment decisions, such as those affecting hiring, promotion, demotion, or transfer, compensation and benefits; and reduction in force and termination as required by law.

The City of New Braunfels assigns a high priority to the implementation of its equal opportunity policy and to assure compliance with all laws prohibiting discrimination in employment programs. Employees of the City of New Braunfels are encouraged to contact the Human Resources Department regarding any questions or concerns about these matters.

The Human Resources Department is responsible for ensuring that equal employment opportunity notices are posted near employee gathering places as required by law. These notices summarize the rights of employees to equal opportunity in employment and list the names and addresses of the various government agencies that may be contacted in the event that any person believes he or she has been discriminated against.

#### **2. Affirmative Action**



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Equal opportunity is achieved through definitive programmed affirmative action. The City's major affirmative action emphasis is to remove artificial employment practices that adversely impact an identifiable protected group of persons.

The City will apply good-faith efforts to seek out, employ, train and promote underrepresented protected group members within and into the City's workforce.

### **B. Standards of Conduct and Ethics**

All persons employed by the City of New Braunfels shall comply with all applicable portions of City of New Braunfels Standards of Conduct and Ethics, Ordinance 97-6 [Ethics Ordinance].

All City employees shall consistently maintain the highest standards of personal integrity, honesty, and trust in carrying out their duties; avoiding real or perceived improprieties in their roles as public servants; and never using their City positions or authority to improperly obtain personal and/or professional gain. These guidelines shall apply at all times during the performance of City functions and include improper use of City equipment and/or City issued items, as well as seeking and accepting gratuities. Any potential conflict of interest and/or circumstances that may present an ethical dilemma should be discussed with the appropriate supervisor(s) and/or the Human Resources Department.

## **IV. Disclaimer**

This Policy Library (including any modifications) is prepared for informational and guideline purposes only and does not constitute a contract in any respect between the City and its employees. Employment with the City is at-will, and either the employee or employer may terminate the relationship at any time for any or no reason. The City Manager may remove with or without cause any employee of the City who is not appointed by the City Council. This removal power is subject to any exceptions in the applicable provisions of the Civil Service Law for Police, Firefighters, and the City charter.



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The City Manager may unilaterally amend, modify or delete these policies at any time without notice. All statements in this manual regarding the at-will status of City employees or any benefits provided herein shall control any contradictory statements by any other person, whether oral or written.

The at-will status of any employee may not be modified or rescinded by any oral written statements by any person, including appointed or elected officials, any employee handbooks, employment applications, City of New Braunfels memoranda, or other materials provided to employees in connection with their employment. Similarly, the City's policies and practices with respect to any matter or any benefits now offered may be terminated at any time and are not to be considered as creating any contractual obligation on the City's part.

Statements of specific grounds for termination set forth in this manual or in any other City documents are examples only, are not all-inclusive lists, and are not intended to restrict the City's right to terminate at will.

Completion of an introductory or probationary period or "regular status" does not change an employee's status as an employee-at-will or in any way restrict the City's right to terminate such an employee or change the terms or conditions of employment.