



## APPLICATION TO VOLUNTEER

**Please return completed application with a copy of a valid photo ID or Driver's License**



In compliance with Federal and State equal employment opportunity laws, qualified applicants are considered for all positions without regard to race, color, sex, religion, national origin, age, disability, citizenship, political affiliation, veteran status, or other unlawful basis.

Position Volunteering for: \_\_\_\_\_ Department: \_\_\_\_\_

Texas Workforce Solutions  AARP  School programs  Other: \_\_\_\_\_

Name: \_\_\_\_\_  
(First) \_\_\_\_\_ (Middle) \_\_\_\_\_ (Last) \_\_\_\_\_

Address: \_\_\_\_\_  
(Street) \_\_\_\_\_ (City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip) \_\_\_\_\_

Cell Phone: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

Emergency Contact Information: \_\_\_\_\_  
(Name) \_\_\_\_\_ (Relationship) \_\_\_\_\_ (Phone) \_\_\_\_\_

Are you related by blood or marriage, to any member of the City Council or any person now employed by the City of Edinburg?  Yes  No If yes, please identify below:

Name: \_\_\_\_\_ Position: \_\_\_\_\_ Department: \_\_\_\_\_

Have ever been charged or convicted of a **felony offense/s**? For each felony, please describe the nature of the charge, the date of the offense, the date of the conviction, the location or jurisdiction, and the punishment assessed (probation/prison).

\_\_\_\_\_

\_\_\_\_\_

Have you been charged or convicted of any of the following **misdemeanors within the last five years**?  
1) Driving While Intoxicated, 2) Possession of a Controlled Substance (including Marijuana), 3) Assault, 4) Unlawfully Carrying a Weapon and 5) Theft.

\_\_\_\_\_

\_\_\_\_\_

**Note:** A Criminal Background Check will be conducted on all prospective volunteer placements. A criminal record does not constitute an absolute bar, factors such as age at the time of the offense; rehabilitation efforts, how recent and seriousness of the crime will be taken into account.

### Applicant Please Read the Following Carefully

#### **CERTIFICATION**

I hereby certify that answers given herein are true and complete to the best of my knowledge and agree that if approved to volunteer, any misrepresentation, falsification or omission of facts thereon shall justify my dismissal.

I hereby authorize the City of Edinburg to fully investigate my record either before or after my approval to volunteer by the City of Edinburg and to facilitate such investigation, I also hereby authorize any persons, office, agency or source, having information and knowledge about my personal, employment, military, educational, driving record, criminal, credit or financial history; prior work related injury information, physical screening, drug screening and other related matters as may be necessary in arriving at an approval decision to furnish and release such information to the City of Edinburg. I hereby release employers, schools, agencies, or persons from all liability in responding to inquiries in connection with my application.

**In submitting this application, I understand that it becomes the property of the City of Edinburg and will not be returned or altered by City staff.** I hereby understand and acknowledge that, any employment/volunteer relationship with the City is of an "at will" nature, which means any employee/volunteer may be removed by the City Manager, by the head of a department or by other appointing officer at any time in accordance with applicable law.

Signature of Applicant \_\_\_\_\_ Date \_\_\_\_\_

Provide two (2) references who have personal knowledge of your character, experience and ability.

NAME	CITY OF RESIDENCE	STATE	PHONE NO.

**EMPLOYMENT EXPERIENCE:** List below present job or last position held. **Note:** Present or previous employers will be contacted to verify your employment record.

Employer		Dates <u>From</u> <u>To</u>	Work Performed
Address			
City	State	Zip Code	Hourly Rate/Salary <u>Starting</u> <u>Ending</u>
Phone No. (        )			
Job Title		Supervisor	
Reason For Leaving			

**SPECIAL SKILLS AND QUALIFICATIONS:**

Summarize special skills and qualifications acquired from employment or other experience.

**Applicant Please Read the Following Carefully**

## CERTIFICATION

I hereby certify that answers given herein are true and complete to the best of my knowledge and agree that if approved to volunteer, any misrepresentation, falsification or omission of facts thereon shall justify my dismissal.

I hereby authorize the City of Edinburg to fully investigate my record and work qualifications either before or after my approval to volunteer by the City of Edinburg and to facilitate such investigation, I also hereby authorize any persons, office, agency or source, having information and knowledge about my personal, employment, military, educational, driving record, criminal, credit or financial history; prior work related injury information, physical screening, drug screening and other related matters as may be necessary in arriving at an approval decision to furnish and release such information to the City of Edinburg. I hereby release employers, schools, agencies, or persons from all liability in responding to inquiries in connection with my application.

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**Signature of Applicant**

Date

# VOLUNTEER PLACEMENT FORM

## I. SKILLS AND INTERESTS:

Highest Education Level Completed: \_\_\_\_\_

Current Occupation: \_\_\_\_\_

Hobbies, Interests: \_\_\_\_\_

Skills: \_\_\_\_\_

Previous Volunteer Experience: \_\_\_\_\_

## II. REASON FOR VOLUNTEERING: \_\_\_\_\_

## III. IS THERE A PARTICULAR TYPE OF VOLUNTEER WORK THAT YOU ARE INTERESTED IN? (Check all that apply)

- Helping in an office doing clerical work
- Working with kids
- Doing research or working on an individual project
- Internship (list field of interest) \_\_\_\_\_
- Other (explain) \_\_\_\_\_

## IV. AVAILABILITY

What days and time are you interested in volunteering?

- I am flexible
- Weekdays
- Weekends
- Office Hours
- Prefer Evenings
- Other \_\_\_\_\_

# CITY OF EDINBURG VOLUNTEER AGREEMENT

This agreement is intended to indicate the seriousness with which we treat our volunteers. The intent of the agreement is to assure you both of our deep appreciation of your services and to indicate our commitment to do the very best we can to make your volunteer experience here a productive and rewarding one.

## I. City of Edinburg

The City of Edinburg agrees to accept the services of \_\_\_\_\_ for a period of approximately \_\_\_\_\_  
(Volunteer's Name)  
or undetermined time, and we commit:  
(i.e. # of hrs, months, yrs, etc.)

1. To provide adequate information, training, and assistance to the volunteer to be able to meet the responsibilities of their position.
2. To ensure diligent supervisory aid to the volunteer and to provide feedback and monitor performance.
3. To respect the skills, dignity and individual needs of the volunteer, and to do our best to adjust to these individual requirements.
4. To be receptive to any comments from the volunteer regarding ways in which we might mutually better accomplish our respective tasks.
5. To treat the volunteer as an equal partner with City staff, jointly responsible for completion of the organization's mission.

## II. Volunteer

I, \_\_\_\_\_, agree to serve as a volunteer and commit to the following:  
(Volunteer's Name)

1. To perform my volunteer duties to the best of my ability.
2. To adhere to City rules and procedures, including recordkeeping requirements and confidentiality of City and client information.
3. To meet time and duty commitments, or to provide adequate notice so that alternate arrangements can be made.
4. To comply with Administrative Code policies.

## III. Hold Harmless Clause

The undersigned, \_\_\_\_\_, "Idemnitor", agrees to hold harmless and indemnify the City  
(Volunteer's Name) of Edinburg, Texas employees, "Idemnitee", from any and all claims which may be made by them or on their behalf for any losses reported on or during, which may be made by reason of volunteer services.

The undersigned, thereby release and forever discharge the City of Edinburg who might be claimed to be liable for any and all claims, demands, damages, actions, causes of action, suits, judgments or executions by reason of any losses incurred on during said services.

It is further stipulated and agreed that the laws of the State of Texas shall control in the construction of this instrument.

## IV. Volunteer Certification

I hereby certify that answers given herein are true and complete to the best of my knowledge and agree that if my service is accepted, any misrepresentation, falsification or omission of facts thereon shall justify my dismissal.

I hereby authorize the City of Edinburg to fully investigate my record and work qualifications either before or after my services are accepted by the City of Edinburg and to facilitate such investigation, I also hereby authorize any persons, office, agency or source, having information and knowledge about my personal, employment, or financial history and other related matters as may be necessary in arriving at an acceptance decision to furnish and release such information to the City of Edinburg. I hereby release employers, schools, agencies, or persons from all liability in responding to inquiries in connection with my application.

In submitting this application, I understand that it becomes the property of the City of Edinburg and will not be returned.

AGREED TO: \_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_ Date

\_\_\_\_\_ Staff Representative

\_\_\_\_\_ Date

This agreement may be cancelled at any time at the discretion of either of the parties, but will expire automatically after one year of inactivity by the volunteer unless it is renewed by both parties.



## BACKGROUND CHECK AUTHORIZATION

In order to determine my qualifications for employment, I hereby request and authorize you to furnish the City of Edinburg with any and all information they may request concerning my work record, educational history, driving record, military record, criminal record, general reputation and financial or credit institution, to include records of any depository or savings or checking accounts, commercial or retail agencies, to include credit reports and ratings, drug & alcohol program violations through FMCSA Clearinghouse, if applicable. This authorization is specifically intended to include any and all information of a confidential or privileged nature as well as photocopies of such documents, if requested. The information will be used for the purpose of determining my eligibility for employment.

I understand that any report, which indicates a failure to meet guidelines as established by the City of Edinburg, may preclude me from receiving employment. In considering my tentative employment, I hereby give my consent for them to make any requests for reports. I release, relinquish and remise the City of Edinburg, its employees, agents and representatives, from any and all causes of action or liability which may have or which arise out of, or as a result of, the reports herein authorized. Furthermore, I understand that my failure to execute this informed consent will result in me not being further considered for employment.

I, hereby release you and your organization from any liability which may or could result from furnishing the information requested above or from any subsequent use of such information in determining my qualifications.

*A photocopy of this release form will be valid as an original thereof, even though the said photocopy does not contain an original writing of my signature.*

**Applicant Full Legal Name** (Complete name- no nicknames)

**Applicant Signature**

**Date**

**If Minor, Parent/Guardian Full Name**

**If Minor, Parent/Guardian Signature**

**Date**

**Soc. Sec. #:** \_\_\_\_\_

**Driver Lic. #:** \_\_\_\_\_

**Date of Birth:** \_\_\_\_\_

**Phone #:** \_\_\_\_\_

**Address/City/State:** \_\_\_\_\_

**Revised: 5.2024**

For Dept. of Human Resources Use Only

Clear  Not Clear

By: \_\_\_\_\_

Date: \_\_\_\_\_

For HR Director Approval Use Only

Clear  Not Clear

By: \_\_\_\_\_

Date: \_\_\_\_\_

Approved for Re-Hire?

Yes  No

By: \_\_\_\_\_

Date: \_\_\_\_\_

**LEAVE THIS PAGE BLANK**

## DPS Computerized Criminal History (CCH) Verification

(AGENCY COPY)

I, \_\_\_\_\_, acknowledge that a Computerized Criminal

APPLICANT or EMPLOYEE NAME (Please print)

History (CCH) check may be performed by accessing the Texas Department of Public Safety Secure Website and may be based on name and DOB identifiers. (This is not a consent form, but serves as information for the applicant.) Authority for this agency to access an individual's criminal history data may be found in Texas Government Code 411; Subchapter F.

Name-based information is not an exact search and only fingerprint record searches represent true identification to criminal history record information (CHRI), therefore the organization conducting the criminal history check is not allowed to discuss with me any CHRI obtained using the name and DOB method. The agency may request that I also have a fingerprint search performed to clear any misidentification based on the result of the name and DOB search.

In order to complete the fingerprint process I must make an appointment with the Fingerprint Applicant Services of Texas (FAST) as instructed online at [www.txdps.state.tx.us](http://www.txdps.state.tx.us) /*Crime Records/Review of Personal Criminal History* or by calling the DPS Program Vendor at 1-888-467-2080, submit a full and complete set of fingerprints, request a copy be sent to the agency listed below, and pay a fee of \$25.00 to the fingerprinting services company.

Once this process is completed the information on my fingerprint criminal history record may be discussed with me.

**(This copy must remain on file by this agency. Required for future DPS Audits)**

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**Signature of Applicant or Employee**

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Date

## City of Edinburg

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Agency Name (Please print)

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Agency Representative Name (Please print)

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**Signature of Agency Representative**

Date

**Please:**  
**Check and Initial each Applicable Space**

CCH Report Printed:

Purpose of CCH: **Volunteer**

Empl    Vol/Contractor    \_\_\_\_\_ initial

Date Printed: \_\_\_\_\_ initial \_\_\_\_\_

Destroyed Date: \_\_\_\_\_ initial \_\_\_\_\_

**Retain in your files**

**LEAVE THIS PAGE BLANK**



## ACKNOWLEDGEMENT OF CONFIDENTIAL INFORMATION OBLIGATION

I understand that the scope of my job responsibilities may make me privy to confidential information. By signing below, I indicate my obligation to treat such information responsibly and confidentially. I further understand that failure to do so is a violation of City policy and may result in disciplinary action up to and including termination.

---

Signature of Applicant

---

Date

---

H.R. Representative

---

Date



## **ACKNOWLEDGMENTS, POLICIES AND PROCEDURES CHECKLIST**

I acknowledge that I have read and understood the policies and procedures contained in the volunteer packet and agree to adhere by them. I understand these policies do not constitute, either implicitly or explicitly, a binding contract and do not guarantee my approval as a volunteer for the City of Edinburg.

**See attached pages for a full description of the policies listed below and read carefully before signing this page.**

- I. Acknowledgement of Confidential Information Obligation
- II. Code of Ethics
- III. Relationships in the Workplace and Fraternization
- IV. Confidentiality
- V. Dress, Appearance and Uniforms
- VI. Sexual Harassment

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Print Name

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Signature

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Date

## CODE OF ETHICS POLICY

The public trust essential for effective government rests on having governmental officers and employees who perform their duties equitably and with integrity without using public office for personal gain. Public trust is impaired whenever an actual or potential conflict exists between the private interests of a governmental official and their official duties.

In order to protect the public and the public servant alike, both citizens and those serving them need to know the standards of conduct expected of City officers and employees. They also need to know that a system exists for requiring adherence to standards set for interpreting those standards and the conduct of public officials.

### **A. STATEMENT AND PURPOSE OF THE POLICY**

It is the official policy of the City of Edinburg that in all cases its elected and appointed officers and employees perform their duties for the benefit of the City of Edinburg. They shall conduct the affairs of the City with integrity and impartiality, without allowing prejudice, favoritism, or the opportunity for personal gain to influence their decisions or actions or to interfere with serving the public interest.

Continuing observance of this policy is essential to maintaining the public trust necessary for good government. This Code of Ethics is to establish guidelines for an ethical standard of conduct for officers and employees of the City of Edinburg and to insure compliance with those guidelines.

### **B. PERSONS COVERED BY THIS CODE**

Provisions of this code applies to all officers and employees of the City of Edinburg, including members of Boards and Commissions appointed by the City Council. The term “*officer*” applies throughout this Code to elected and appointed officials, including the Mayor and City Council, members of Boards and Commissions appointed by the Mayor and City Council, as well as to other municipal officers.

### **C. STANDARDS OF CONDUCT**

Every officer or employee of the City of Edinburg shall be subject to and abide by the following standards of conduct:

#### **1) Impartiality**

Every officer and employee shall perform his duties with impartiality and without prejudice or bias for the benefit of all citizens of the City of Edinburg. No officer or employee shall grant or make available to any citizen any consideration, treatment, advantage, service or favor not available to every other citizen.

#### **2) Record Retention**

Records are defined broadly to include almost any type of business information, and the required retention period varies with the type of record. Falsifying records; deliberately concealing records; destroying records in bad faith; exploiting confidential information; or otherwise mishandling records shall not be tolerated.

- a) As a local government entity, the City of Edinburg adheres to Texas Local Government Code, Chapters 202-204, addressing record management. Records management includes the application of management techniques to the creation, use, maintenance, retention, preservation, and disposal of records for the purposes of reducing the costs and improving the efficiency of recordkeeping (*Texas Local Government Code §201.003(13)*).
- b) When a lawsuit is filed or is reasonably anticipated to be filed against the City of Edinburg or when an internal or governmental investigation is initiated, the City ensures that all information potentially relevant to the suit or investigation is preserved. The City shall take steps to ensure potentially relevant information is not inadvertently destroyed pursuant to document retention schedules or by routine computer operations or common computer settings, such as the automated deletion of emails.

**3) Fraud**

Fraud is broadly defined, and may include any type of intentional deception for personal or business gain or damage to an individual or organization. Examples of fraud include, lying on an employment application, falsifying records, or providing false receipts for reimbursement from the City of Edinburg, not revealing a financial interest in an entity doing business with the City.

Employees and elected or appointed officials must be good stewards of resources entrusted to them and exercise due diligence to prevent and detect criminal conduct and noncompliance with applicable laws and regulations. Employees are strongly encouraged to report suspected fraud, waste, abuse, or non-compliance to the appropriate supervisor or manager. Engaging in acts of fraud may result in civil or criminal liability.

**4) Equal Opportunity Employment**

The City is an equal opportunity employer and is committed to complying with all applicable state and federal laws, rules, and regulations that prohibit discrimination based on race, color, sex, religion, national origin, age, or non-job related physical disability.

**5) Sexual Harassment and Sexual Misconduct**

- a) Sexual harassment in the workplace is prohibited. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature may constitute sexual harassment when submission to or rejection of this explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.
- b) If an employee believes that he or she is being subjected to sexual harassment or sexual misconduct by any person in the workplace, or if an employee witnesses any incident that appears to be a violation of the City's Sexual Harassment policy, the employee may report the incident to the appropriate supervisor or manager. Alternatively, if the subject of the employee's complaint is their supervisor or manager, that employee may report the complaint to the Human Resources Department, a higher level supervisor or manager, the City Attorney's Office or any other City employee in a managerial capacity.

Employees who report sexual harassment are protected against retaliation by state and federal laws.

- c) Supervisors or managers who receive reports of sexual harassment or sexual misconduct are required to act expeditiously in response to such reports regardless of the form of the complaint ("formal" or "informal") and regardless if the report was made in written or verbal form.

**6) Conflict of Interest**

- a) No officer or employee shall engage in any business or transaction or shall have a financial or other personal interest, direct or indirect. Personal interest as distinguished from financial interest includes an interest arising from blood or marriage relationships or business or political association.
- b) No officer or employee shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the City. Nor shall they use such information to advance the financial or other private interests of themselves or others.
- c) No officer or employee shall use the prestige or power of their office or employment for their private gain or for the private gain of another.
- d) No officer or employee shall engage in or accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of their official duties.
- e) Local public officials (including a member of the governing body or another officer, whether elected, appointed, paid or unpaid, of any district including a transit authority or district), as well as certain other employees involved with contracting, are subject to the conflict of interest provisions, in *Texas Local Government Code, Chapter 171*. Chapter 171 establishes the standard for determining when a local official has a conflict of interest that would affect his or her ability to discuss, decide, or vote on a particular item.
- f) Other state and federal laws may be applicable to officials and employees in particular situations. For example, Chapter 176 of the Local Government Code requires members of the governing body and executive officers of local government entities to file a conflicts disclosure statement relating to a person that the governmental entity has contracted with or is considering contracting with if the local officer or his or her family members have certain business relationships with that person. Organizations should work with legal counsel to determine whether its activities are subject to any such provisions.

**7) Personal Use of the City's Property**

No officer or employee shall use City supplies, equipment, vehicles, or facilities for any purpose other than the conduct of official City business, unless otherwise specifically provided for by law, ordinance, or City policy.

**8) Gifts and Honoraria**

- a) No officer or employee shall directly or indirectly solicit, accept or receive any valuable gift or benefit, whether in the form of money, services, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift or benefit was intended as a reward for an official action on his part or was intended to influence the employee, or could reasonably be expected to influence him, in the performance of his official duties.
- b) Under ***Texas Local Government Code Chapter 176***, a local government officer must disclose a vendor's offer of gifts to the officer or to the officer's family member if the aggregate value of the gift exceeds \$100 using the Conflict of Interest form approved by the Texas Ethics Commission. The Form requires disclosure even if the officer refuses the gift. An officer commits a Class C misdemeanor if the officer knowingly violates the disclosure requirements.

#### **D. PERSONNEL RESPONSIBLE FOR OVERSIGHT OF COMPLIANCE**

- 1) The City Manager is charged with monitoring compliance within the organization and taking appropriate action in response to compliance related complaints.
- 2) The Finance Department is responsible for oversight of financial reports and establishing and maintaining an adequate internal control structure with appropriate checks and balances.
- 3) All employees are required to perform their official duties in a lawful, professional, and ethical manner; practice responsible stewardship of organizational resources, and are strongly encouraged to report any conduct or activity that they believe to be in violation of the City's Code of Ethics Policy. Employees shall not knowingly make false or misleading statements, oral or written, while conducting City business and shall not disclose confidential or sensitive organizational business information without prior written authorization.

#### **E. APPROPRIATE CARE IN DELEGATION OF SUBSTANTIAL DISCRETIONARY AUTHORITY**

In order to avoid the delegation of substantial discretionary authority to individuals whom the City knows or should know, have previously engaged in illegal activities, criminal background checks, among other measures, are conducted as part of post-offer employment for potential new employees, temporary employees, and regular volunteers.

#### **F. COMMUNICATION & DISTRIBUTION OF THE CODE OF ETHICS**

The City's Code of Ethics, including any amendments and all related materials, shall be distributed to employees, volunteers, city officers appointed or elected, and the City's agents via written, electronic, or verbal communication.

#### **G. TRAINING**

- 1) Employees and volunteers shall receive training of the City's Code of Ethics during orientation and annually thereafter and sign an acknowledgement of receipt of the City's Code of Ethics and its understanding thereof.

- 2) Elected Officials & Board/Commission Members shall attend periodic training and acknowledge in writing that they understand the ethical standards, have abided by them, and will continue to abide by them. New officials &/or board members are to make this written acknowledgement when they take office or appointment.

#### **H. AUDITING/COMPLIANCE**

- 1) Periodic internal audits and other risk evaluations to monitor compliance and address identified problem areas shall be conducted.
- 2) Employees shall be encouraged to report non-compliance issues to management or utilize the City's Anonymous Fraud Hotline without fear of retaliation.

#### **I. VIOLATIONS**

- 1) Violations of any provision of this Code may constitute a case for censure, suspension, disciplinary action including termination of employment, or criminal prosecution as determined by the appropriate City authority.
- 2) In an effort to prevent future violations, policies will be reviewed and revised when needed to ensure the issue is addressed programmatically and employees will be trained on the policy revision(s) to ensure their understanding of organizations' expectations.

## RELATIONSHIPS IN THE WORKPLACE AND FRATERNIZATION

The City of Edinburg believes in providing a work environment where employees maintain clear boundaries between employee personal and business interactions for effective city or government operations. Although this policy does not prevent the development of friendships or romantic relationships between co-workers, it does establish boundaries as to how relationships are conducted during working hours and within the working environment.

### **A. STATEMENT AND PURPOSE OF THE POLICY**

The City of Edinburg encourages a professional and discrimination free atmosphere at work for its employees. Interpersonal relationships between employees may become a concern if they have the effect of impairing the work of any employee; harassing, demeaning, or creating a hostile working 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 customers or in the community at large. This policy establishes guidelines for an effective work environment and proper standards of conduct in working relationships as employees of the City of Edinburg.

### **B. STANDARDS OF CONDUCT**

#### **1) Management & Subordinate Employee –**

Individuals in supervisory or managerial roles and those with authority over others to include supervision, and/or terms and conditions of employment, are subject to more stringent requirements under this policy due to their status as role models, their access to sensitive information, and their ability to affect the employment of individuals in subordinate positions. An employee at this capacity level should not engage in a non-professional relationship with a subordinate employee within the same department that could potentially have the appearance of creating or promoting special treatment for the subordinate employee.

In the event of such relationship, the employees involved will be given the opportunity to choose which of them will be reassigned to an alternative available position where special treatment will not be an issue, or one or both employees may be subject to disciplinary action, including dismissal, depending on the nature of the situation.

Employees at all levels, especially managers, are reminded that the qualities of good judgment, discretion, and compliance with guidelines are all taken into account when considering future advancement opportunities.

#### **2) Employees of the Same Level.**

If a relationship in the workplace between two or more employees at any level:

- a. has the potential or effect of involving the employees, their coworkers, or the company in any kind of dispute or conflict with other employees or third parties;
- b. interferes with the work of any employee;
- c. creates a harassing, demeaning, or hostile working environment for any employee;
- d. disrupts the smooth and orderly flow of work within the office, or the delivery of services to the company's clients or customers;
- e. harms the goodwill and reputation of the company among its customers or in the community at large; or
- f. tends to place in doubt the reliability, trustworthiness, or sound judgment of the persons involved in the relationship,

the employee(s) responsible for such problems will be subject to disciplinary action, up to and including reassignment or termination of employment, depending on the circumstances.

### **C. PERCEPTION OF MISCONDUCT**

Employees who conduct themselves in such a way that their actions and relationships with each other become the object of gossip among others in the office, or cause unfavorable publicity in the community, should be concerned that their conduct may be inconsistent with one or more of the above guidelines. In such situation, the employees involved should request guidance from their supervisor, Director. If no resolution is found, please refer to the Department of Human Resources to discuss a resolution that would avoid violation of policy. Failure to seek such guidance or resolve the issue may subject the employee(s) to disciplinary action, up to and including reassignment or termination of employment.

### **D. CITY EQUIPMENT AND FACILITIES**

No employee may use company equipment and facilities for non-work related activities or relationships without the approval of assigned supervisor or director.

### **E. VIOLATION OF POLICY**

Violations of this policy will be deemed as insubordination, and may lead to further disciplinary action including up to reassignment, transfer to another available position, possibly in a different department/division, and/or termination of employment, depending on the circumstances.

## **CONFIDENTIALITY**

All personnel, medical and financial information are considered confidential. This confidential information, whether written, verbal or electronic, should not be revealed to anyone without legal due process.

The City of Edinburg seeks to protect the privacy rights of its employees and to protect City information.

### **Employee Medical Information**

Federal law requires that the City maintain all employee medical information in separate, confidential files. Therefore, in addition to personnel files, the City maintains a separate medical file for each employee. The Director of Human Resources maintains confidential medical files in regards to Family and Medical Leave Act Leave, Workers' Compensation, and insurance records.

Examples of information that may be provided to the City by an employee's health care provider, and maintained in the confidential medical file, include:

- a note to justify an absence;
- a note to request a leave;
- a note to verify the employee's ability to return to work;
- medical records to support a claim for sick pay or disability benefits;
- insurance records; and
- workers' compensation records.

It is important that employees understand that the records are confidential but that the confidentiality may be waived when the employee provides medical information to his/her Supervisor. When an employee provides information to his/her Supervisor, the Supervisor is expected to share the information only on an "as needed" basis to other members of management.

In addition to protecting their own confidential medical information, employees must also respect the privacy and confidentiality of their coworkers' medical information. Employees are expected to use discretion and judgment when dealing with such information and are to refrain from passing along information, gossip, rumors, or anything else that may constitute an invasion of a coworker's privacy or breach of confidence.

The City of Edinburg is committed to complying with the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

### **Employee & Business Records**

Records such as personnel, financial, payroll, business, policies and procedures, incident reports, etc. are also confidential.

Employee records should not be disclosed or reported without the employee's express written consent to any person within or outside the workplace except as may required by law.

## **Breaches of Confidentiality**

### **Written Records**

Efforts must be made to avoid leaving protected health information and other confidential employee or company information unattended or in areas with public access. Means should be provided for maintaining confidentiality at all times when handling sensitive information.

### **Verbal Information**

Efforts must be made to limit discussion of protected health information, as well as employee or confidential City information in areas where such information may be overheard by unauthorized persons. This includes areas both inside and outside the City buildings, such as in an office with an open door or in a restaurant over lunch.

### **Computerized Information**

Access to computerized information is limited by log-ins and passwords that are unique to each employee. Confidentiality is breached if someone uses another's password. Special care must be given to retrieving records where the computer screen can be observed by unauthorized persons. When a computer is left unattended, the last person accessing information should exit the application.

### **Faxed Information**

Fax machines are frequently used to transmit information. Care should be given to placement of the machine to prevent unauthorized access. Every precaution should be taken to ensure that information is transmitted to the correct telephone number.

## **Violation of Policy**

Employees who violate this policy shall be subject to discipline, up to and including termination.

## **DRESS, APPEARANCE, AND UNIFORMS**

Employees must, at all times, dress appropriately and professionally and present a clean and neat appearance while at work and while representing the City or conducting City business. The City of Edinburg allows business casual dress in the work place as approved by the City Manager, in accordance with this policy. Department directors are strongly encouraged to allow their employees to participate in business casual dress, as practical. Department directors and Supervisors are responsible for enforcing this policy in their respective departments in order to maintain acceptable dress and appearance.

Professional business attire or a required uniform is to be worn when there is a need to present a more formal professional appearance for meetings or special events. Suits, dress shirts, and ties for men and suits or dresses for women are proper attire for personnel scheduled for agenda presentations (i.e. City Council meetings, receptions, etc.). Employees must remember that they are professionals 100% of the time and are dressing for business, not for pleasure. Attire must always reflect a professional business attitude and presence. Police and Fire Department employees may be covered under Departmental policies regarding appropriate dress and appearance.

### **Employee Hygiene**

Personal body and dental hygiene are important. The use of cosmetics and perfumes should be moderate. Fingernails must be clean.

### **Minimum Business Casual Work Attire:** Business Casual

- Blouses/tops/sweaters (must be tucked in or belted, unless designed as an over-blouse), sleeveless blouses/dresses are not allowed;
- Skirts shall be worn no shorter than two (2) inches above the top of the knee, no denim skirts allowed;
- Ankle-length dress slacks are allowed, no denim slacks or Capri pants are allowed;
- Appropriate footwear, dress shoes or sandals with a professional length heel;
- No more than two (2) earrings in each ear may be worn provided the earrings are not unprofessional in appearance. Knit shirts with collar, banded collar shirts, short sleeve, or dress shirts without a tie are acceptable. All shirts are to be tucked in unless specifically designed to be worn outside trousers;
- Casual pants, such as khakis, chinos, etc. are allowed;
- Men are not to wear earrings at Council presentations or formal events.

**Business Attire**

- Suits/sports jackets for men (can be removed during day/evening);
- Dress shirts for men with collars;
- Ties for men;
- Dresses, suits, pant-suits, dressy pants and blouses/sweaters for women;
- Socks (hosiery optional);
- Dress shoes/sandals.

**Casual Friday Attire**

- Denim jeans (any color) are allowed to be worn on Friday's only if accompanied by a collared City Logo shirt. Jeans should not be stone washed, torn, or too tightly fitted.

**The following are inappropriate:**

- Sweat-shirts, sweat-pants, or shorts of any type are not acceptable unless a special casual wear or festive occasion is declared by the City Manager;
- Thong sandals, clogs and flip flops are not acceptable at any time;
- Jeans of any color/type are not allowed at City Hall or in office areas unless a special dress down day is announced or on a Friday with appropriate collared City Logo shirt;
- T-shirts with inappropriate and/or offensive logos are not acceptable;
- Leggings are not acceptable;
- Visible body piercing (other than earrings) is inappropriate and should be removed or covered while at the workplace;
- Provocative or revealing attire is not acceptable (This includes body-hugging, see-through, low-cut, excessively short or excessively tight fabrics);
- Tank tops or spaghetti strap shirts/blouses are not acceptable;
- Clothing with unclear or obscene messages or that endorses alcohol, tobacco products, drugs, pornography, or offensive material of any kind are not acceptable;

- Wrinkled, ripped, and tattered clothing is not acceptable;
- Visible tattoos which could be deemed offensive are not acceptable;
- Nose rings/studs, eyebrow rings/studs, tongue studs, or similar type facial jewelry is not acceptable.

**Hair:** Hair styles and hair colors must be appropriate to the employee's position and extremes of any type are unacceptable. For example, green hair, mo-hawk style haircuts, and severely spiked hair are not allowed. Hair, including facial hair, must be clean and neatly groomed at all times. Sideburns may not extend below the ear lobe.

**Uniforms:** The City supplies employees with appropriate uniforms when relevant to their job function. Employees in jobs that require a uniform will be told how and where the uniforms can be obtained. The City will provide replacement uniforms as necessary. Uniforms must be clean and neat. City-owned or authorized uniforms may not be used outside of work, for personal use, or by any third party.

Employees who are provided with uniforms are required to wear their uniforms when on duty and keep them in good, clean, and serviceable condition. No part of the uniform shall be worn by itself. An employee must wear the entire uniform when on duty. No part of the uniform shall be worn when off duty, except to and from work.

When an employee terminates, uniforms and any other City equipment which the employee possesses must be returned in good condition before final pay will be authorized. The cost of lost or damaged City property and unreturned uniforms will be deducted from the employee's final paycheck.

**Enforcement:** In all cases, the Department Director/City Manager will make the determination as to acceptable dress, appearance, and grooming. Employees should direct questions about appropriate appearance or dress to your Supervisor, Department Director, or the Director of Human Resources.

Employees in violation of this policy may be sent home. Under such circumstances, non-exempt employees will not be paid for work time missed, and exempt employees will be required to make up the work time missed. Employees whose grooming or personal appearance violates this policy may be disciplined, which may include termination of employment.

The Department Director, with approval of the City Manager's office, may make departmental exceptions to this policy when deemed necessary for business reasons, or implement a more restrictive dress and appearance policy for safety purposes.

Department Directors will dress in Business Attire unless the job responsibilities justify dressing in a different manner. Department Directors will rely on their better judgment in making such a decision.

## SEXUAL AND OTHER UNLAWFUL HARASSMENT

All City employees are entitled to a workplace free of unlawful harassment by Management, Supervisors, co-workers, citizens, and vendors. City employees are also prohibited from harassing citizens, vendors, and all other third parties.

**Sexual Harassment.** One form of unlawful discrimination is sexual harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or
- 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. Conduct prohibited by this policy includes, but is not limited to sexual advances; requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess, sexual preference, or sexual deficiencies; leering, whistling, or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal, or visual conduct of a sexual nature.
- Harassment also includes, but is not limited to, retaliation for having reported or threatened to report harassment.

**Other Prohibited Harassment.** In addition to the City's prohibition against sexual harassment, harassment on the basis of any other legally protected characteristic is also **strictly prohibited**. This means that verbal or physical conduct that singles out, defames, or shows hostility or aversion toward someone because of age, race, religion, sex, color, national origin, citizenship, political affiliation, disability, veteran's status, or other unlawful basis, is also prohibited. Prohibited conduct includes, but is not limited to, insults, slurs, and negative stereotyping; threatening, intimidating, or hostile conduct; defaming jokes and comments; and writings or pictures that single out, defames, or show hostility or aversion toward someone on the basis of a protected characteristic. Conduct, comments, or innuendoes that may be perceived by others as offensive are wholly 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, and/or the Internet.

Harassment of any nature, when based on age, race, religion, sex, color, national origin, citizenship, political affiliation, disability, veteran's status, or other unlawful basis, **will not be tolerated**. This policy applies to City employees, citizens, vendors, and other visitors to the workplace.

**Mandatory Reporting.** The City requires that employees report all perceived incidents of harassment, 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 he/she has been subjected to conduct prohibited by this policy must report it immediately to:

- His/her Department Director;
- Director of Human Resources (or designee);
- City Manager (or designee).

Any Supervisor, Manager, or Department Director who becomes aware of possible conduct prohibited by this policy must immediately advise his/her immediate Supervisor and /or the Director of Human Resources (or designee). A Complaint of Sexual Harassment Form is available from the Director of Human Resources (or designee). Any employee with management responsibility who becomes aware of harassment in their work area must take corrective steps whether or not a formal complaint has been filed. Managers who fail to properly address harassment in their workplace may be disciplined, which may include termination of employment.

Under this policy, an employee may report to and/or contact the Director of Human Resources directly within ten (10) calendar days of incident, without regard to the employee's normal chain of command. Reports are required to be in writing and specific to the facts and date(s) to allow effective and thorough investigation by the City. All concerns/questions in should be addressed to:

Director of Human Resources  
City of Edinburg  
P.O. Box 1079  
Edinburg, Texas 78540 - 1079  
(956) 388-1873, ext. 8652 – Office Telephone

Civil Service employees are required to follow the complaint process as set forth in their departmental Standard Operating Procedures. The police department in accordance with its departmental policies and procedures will conduct investigations involving civil service employees.

In addition, the City encourages employees who believe they are being subjected to conduct prohibited by this policy and who feel comfortable doing so, to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action will resolve the problem.

The alleged offending party may provide a written response to the allegation(s) within ten (10) business days of receiving the complaint.

After consulting with the Director of Human Resources, the City Attorney, and the City Manager and obtaining the approval of the City Manager, the Department Head may place the alleged offending party and/or complaining party on administrative leave with pay pending the completion of the investigation.

Withdrawal of a complaint will not necessarily end an investigation. The City may pursue an investigation with or without a pending complaint.

**Retaliation Prohibited.** 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.

Retaliation by any person against anyone involved in the complaint process will not be tolerated and may result in discipline, which may include termination of employment.

**Responsive Action.** Misconduct constituting harassment or retaliation will be dealt with appropriately. Discipline, which may include termination of employment, will be imposed upon any employee who is found to have engaged in conduct prohibited by this policy. Likewise, disciplinary action, which may include termination of employment, will be imposed in situations where claims of prohibited conduct were fabricated or exaggerated.

Within ten (10) work days of concluding the investigation, the Department of Human Resources will provide the City Manager and the Department Director and/or Division Head involved a report as to the validity of the complaint. Within ten (10) work days of receiving the Human Resources Department's report of Harassment, the Department Director and the City Manager will take appropriate disciplinary action. The Department of Human Resources may extend the ten (10) day deadline if necessary.

If the Department Director or Division Head is the alleged offending party, these actions will be taken to the City Manager only. For Department Directors who report directly to the City Council, the City Council shall determine the appropriate course of action.