



TEXAS MUNICIPAL LAW BULLETIN™

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Personnel Manual Checklist

Personnel manuals should be reviewed regularly. Training should be provided on the manual when it is updated, including harassment training. Acknowledgment of receipt forms and privacy forms should also be included in the review and training. Manuals should include the elements listed here. We hope you find this helpful!

- (1) **At-Will:** Brief statement that employment in Texas is at-will and that the Manual is not a contract.
- (2) **Pay Practices:** Descriptions of pay and work periods, overtime pay, and/or compensatory time off. (Cities are not bound by Texas Payday Law, but the law provides good guidance.)
- (3) **Discrimination Policies:** Policies related to discrimination based on any protected class under Federal law and pregnancy discrimination under Texas and Federal law.
- (4) **Harassment:** Appropriate behavior, reporting structure, investigation, training, and how to address electronic harassment should all be addressed.
- (5) **Leave:** City-provided leave, like sick and vacation, as well as what is required by law, including FMLA, military leave under state law, and USERRA. The Policy should also provide a good definition of “day” or utilize hours as the basis for leave.
- (6) **Benefits:** Health, retirement, training, reimbursements, car, phone, and higher education should be addressed. Also address who receives what benefits based on hours and status.
- (7) **Grievance Procedure:** Address administrative procedures for complaints by current and former employees, appeals of terminations, and Whistleblower.
- (8) **Separation of employment:** Different types of separation, final paycheck, how remaining leave (if any) will be paid out, and how benefits are handled.
- (9) **Political Activity:** Policy on political activity should be checked for constitutionality. It can prohibit political activity while representing the city in uniform, but cannot prohibit running for office. Should include information on dual office-holding.
- (10) **Electronic communication:** Address on-the-job and outside-activity use of social media, and how this relates to harassment. Require the use of city email for city business.

It is wise to contact your attorney with questions and for legal updates.

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